MACKENZIE VALLEY ENVIRONMENTAL

IMPACT AND REVIEW BOARD

PUBLIC HEARING NICO PROJECT - EA 0809-004 FORTUNE MINERALS LIMITED

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HELD AT:

Behchoko, NT August 31, 2012 Day 4 of 4

1			APPEARANC	CES	
2	Chuck Hubert)	MVEIRB Staff
3	Paul Mercredi)	
4	Simon Toogood)	
5	Shannon Hayden)	
6	Alan Erlich)	
7	Stacey Menzies)	
8	Cailin Makin)	
9	Vern Christensen)	
10	John Donihee)	Board counsel
11					
12	Mike De Carlo)	Fortune Minerals
13	Jim Mucklow)	Ltd.
14	Robin Goad)	
15	Tom Rinaldi)	
16	Rick Schryer)	
17	Pat Moloney)	
18	Bill Shepard)	
19	John Faithful	(np))	Golder
20	Lasha Young)	
21	Theresa Repaso-Su	ıbang	(np))	
22	Rein Jaagumagi	(np))	
23	Jason Parviainen	(np))	
24	Ken De Vos)	
25	Ken Bocking	(np))	

			3
1	APPEARANCES	(Con't)	
2	Charlie Nitsiza) Fortune Minerals	
3	Damian Panayi) Ltd.	
4	Monique Haakensen)	
5	Ross Mitchel)	
6	John Virgl (np))	
7	Cam Stevens (np))	
8	Dan Coulton (np))	
9	Letha MacLachlan) Counsel	
10			
11	Clifford Daniels)Tlicho Government	
12	Edward Erasmus)	
13	Alfonz Nitsiza)	
14	Edward Chocolate)	
15	Charlie Football)	
16	Marjorie Matheson-Maund)	
17	Ryan Chenkie)	
18	Joseph Judus)	
19	Laura Duncan)	
20	Kerri Garner)	
21	Ginger Gibson)	
22	Janelle Nitsiza)	
23	Henry Zoe (np))	
24	Stacey Fernandez (via phone))	
25	Paul Bachand) Counsel	

APPEARANCES (Con't) 1 2 3 Glen Koblun (np)) Ducks Unlimited 4 Jason Charlwood (np)) 5 Lori (phonetic) Mountain (np)) 6) North Slave Metis 7 Bill Enge) Alliance 8 Susan Enge 9 10 Russ Teed) GNWT ITI 11 Gordon Rohs (phonetic) (np)) 12 Dianne Lafferty) 13 Bernard Park (np)) GNWT 14 Brittany Shumera) 15 Lisa Cardinal) 16 Rita Mueller) 17 Shafic Khouri) 18 Amy Lizotte) 19 20 Todd Slack) YKDFN 21 22 Carey Ogilvie (np)) Environment 23 Sarah-Lacey McMillan) Canada 24 James Hodson (np)) 25

APPEARANCES (Con't) 1 2 Loretta Ransom (np)) ENR 3 Kimberly Balsillie (np)) 4 Aileen Stevens (np)) 5 Dean Cluff (np)) 6 Sarah Frue (phonetic) (np)) 7 Sunny Ashcroft (np)) 8 Bruno Croft (np)) 9 10 Sarah Olivier) DFO 11 Rick Walbourne) 12 Bev Ross) 13 14 Kate Witherly) Northern Projects 15) Management Office 16) WLWB 17 Kathy Racher (np) 18 Brett Wheler) 19 Sara Elsasser) 20 Mark Cliffe-Phillips) 21 22 Douglas Soloway (np)) Transport Canada 23 Dale Kirkland (np)) 24 25 Ross Mitchell) ERM

APPEARANCES (Con't) 1 2 3 Rob Johnstone) Natural Resources 4 John King) Canada 5 6 Nathen Richea) AANDC 7 Robert Jenkins) 8 Scott Duke) 9 Jason Steele (np)) 10 Paul Green) 11 Myranda Bolstad (np)) 12 Boyan Tracz) AANDC - CIMP 13 14 Greg Short (np)) Canadian Dewatering 15 16 Sandy Lee (np)) Government of 17) Canada 18 19 Karin Clark (np)) WRRB 20 Allice Legat (np)) 21 22 Rachel Olsen) The Firelight Group 23 Harry Apples) 24 Georgina Chocolate) 25 John B. Zoe)

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1		LIST OF COMMITMENTS	
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3	2	Tlicho government to answer two (2)	
4		questions: 1) Do you accept the	
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--- Upon commencing at 9:16 a.m. 1 2 3 THE CHAIRPERSON: It's 9:15. I'd like to call this public hearing to order. It's Friday, 4 5 August 31st, Nico Project EA 0809-004. Nine -- it's actually 9:16, so I call the public hearing to order. 6 7 Before we start, I'm going to ask the former Grand Chief, Joe Rabesca, to come up to do the 8 9 opening prayer. 10 FORMER GRAND CHIEF JOE RABESCA: Good 11 morning. Before I start, Mr. Chairman, this morning 12 when I woke up at 6:30, this is what I usually do when 13 we get in a situation like this. Many times I've been 14 in a situation, very, very tough decision to make. 15 When I woke up this morning, I sat all 16 by myself and I thought, going back, back, back, back, back so many years, this is what I do. And this is 17 18 what I said to myself before I prayed this morning: 19 Everything that we do, it's for people, not ourselves. 20 I don't think about myself, I just think about other 21 people all the time. 22 And I said to myself, you know, it's 23 going to be a very tough decision that the Board has to 24 make. We have to offer our assistance to them, as much 25 as we could. The decision, ultimately, it's up to God.

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And I said to God, You decide for us 1 today. You help the Board, strengthen their mind, make 2 them wise, help them to make the best decision for our 3 people and for the future of our kids. 4 5 This is what I usually do, I just let 6 God handle it for me. It's going to be difficult, 7 very, very difficult for me to make that kind of decision, so what I usually do is just let God take 8 9 over and let Him decide for me, because He's the one that created this earth, He's the one provided 10 everything on this earth that He made. It belongs to 11 12 him. 13 Whatever we do, we have to take care of 14 it, and let God help us to take care of it, make the 15 right decision. I hope the Board will make that right decision. 16 17 Let me say a prayer in our own way, and 18 I'll pray for everyone of you, people that travel in, 19 people that are going to travel home to your families and to your loved ones, because we all have families 20 that we have to take care of and look after. But in 21 22 the meantime, let God look after your family while 23 you're away. 24 25 (OPENING PRAYER)

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1 2 THE CHAIRPERSON: Good morning, and masi, former Grand Chief Joe Rabesca for doing the 3 4 opening prayer. 5 It's another beautiful morning this 6 morning, and it's our day 4 of this public hearing 7 here. For two (2) days, we're in Behchoko. I think everybody's fully rested. I think it's good that we 8 9 started the meeting with a prayer, and -- and so the plan for today again is that I want people, when they 10 11 come up to speak, state your name for the record. 12 And just remind that -- I know that 13 we're on a time limit, but also, we have to take to -take into consideration we also have translators here 14 15 in the back. Yesterday, I thought they were waving at 16 me, and I was waving them back, and they were saying, 17 Slow down. So anyways, I want to move forward. 18 Yesterday -- I -- I want to confirm that 19 the Review Board's ruling on the Tlicho government request for an extra hearing time to consider their 20 21 traditional knowledge study. We will also use this extra time to finish off all other topics on our 22 23 agenda. 24 The Board has decided to schedule two 25 (2) additional hearing days as a result of this

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request. We did so after considering the comments of 1 all parties on the request for ruling. The first day 2 will be for presentation on the TK report by the Tlicho 3 government and questions from the floor -- or, sorry, 4 5 questions from the parties. 6 The second day, the Board will hear the 7 presentation on the Nico Project access road and any other matters necessary to complete this hearing, 8 9 including additional time to hear from the Tlicho 10 citizen -- citizens about the project. 11 This hearing will be held on October 12 10th and 11th here in Behchoko; that means today's 13 agenda breaks out as follows: Despite that we started at 9:15, the schedule I'll read out is 9:00 to 12:00, 14 15 if needed, for a closure presentation and questions. 16 We'll take lunch from 12:00 till 12:30, and after that, from 12:30 till 2:30, we'll -- we'll do socioeconomic 17 18 presentation and questions. 2:30 until 4:00 p.m. we 19 will hear from the Tlicho citizens, Elders, and public. 20 From 4:00 p.m., we're going to have the closing prayer. 21 Note: Because the Board is coming back to Behchoko in October, we will have several hours on 22 23 the second day to hear from the public and the Tlicho 24 citizens here in Behchoko. We will allow up to twenty 25 (20) minutes for presentation today, and we'll have to

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cut them off so that we no longer go beyond the time. 1 The Board have read all the presentation. Please be 2 focussed on what you think we'll need to know, and your 3 4 recommendation on your presentation. This timetable is, I emphasized 5 6 yesterday, contingent on the Tlicho government filing 7 their TK report on September 15th, and I want to emphasize that, September 15, this is the date that we 8 9 were told on record that you were going to have your 10 report done. And, as per their commitments, as -- as 11 far as the other dates go, the Board will -- still wants the final written submissions from the parties. 12 13 The dates are changed as follows: 14 written submissions from all parties but the -- but the 15 Developer on October 17th, 2012 before the end of the 16 business day; final reply submissions from Fortune Minerals Limited on October 22nd, 2012. 17 18 The public record will be -- will close 19 upon filing of Fortune Minerals' reply. My staff will 20 confirm these -- these changes and dates with note to 21 file, which will be placed on the -- on the Fortune 22 Mineral -- sorry, on Fortune's registry on -- sorry, 23 placed on the registry early next week. 24 So we'll proceed to -- to the agenda, as 25 mentioned, and, again, I'm -- I'm going to -- as the

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Chair, I'm going to stick to the agenda that I just 1 read out, so if I have to interrupt and/or put up my 2 hand and say, You've got two (2) minutes, and my 3 friends right here on the side are going to -- they've 4 5 got a whip, and they're going to hold me to that. 6 So anyway, with that, let's proceed with 7 the presentation. 8 9 CLOSURE - PRESENTATION BY FORTUNE MINERALS: 10 DR. RICK SCHRYER: Thank you, Mr. 11 Chair. Rick Schryer, Fortune Minerals. I'll be 12 presenting Fortune Minerals' position on closure and 13 reclamation. In light of the Board's request to keep this brief, I'm going to be presenting our short 14 15 version of the presentation. The long version is 16 available on the public registry. 17 We'll also not be presenting our talk on 18 the constructed wetland treatment system; that talk was 19 given on Wednesday, and also is available on the public 20 registry. Dr. Monique Haakensen is -- from Contango 21 Strategies Limited is available to discuss any -- or 22 answer any questions. 23 24 (BRIEF PAUSE) 25

Fortune's key objective for closure is 1 to release the property in a manner that is safe for 2 wildlife, aquatic, and human health. In developing 3 this overall closure plan, Fortune Minerals looked at 4 5 the -- the four (4) key components of closure, which 6 are the co-disposal facility, the flooded open pit, the constructed wetland treatment system, and other 7 infrastructure elements such as site buildings and 8 9 roads. 10 Just to recap where all of these structures are, this is the co-disposal facility, this 11 12 is the open pit, this is where the process plant and 13 the camp would be, which would be eventually removed 14 from the site, so that the only two (2) remaining 15 structures at closure would be the co-disposal facility and the open pit. 16 17 The wetland treatment systems would be 18 downstream of these facilities, and would be 19 constructed in the most suitable location based on our 20 pilot plant studies. 21 For the co-disposal facility, the cover 22 will be placed over a portion of the surface. We will 23 use locally available glacial till. This will minimize wind and water erosion. It will also limit 24 25 infiltration of rainwater, and will provide adequate

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store and release capacity. The amounts of 1 infiltration and flow through the CDF are all described 2 in our August 20th closure analysis memo submitted to 3 the Board, and is available on the public registry. 4 5 The sequence of events that occur in 6 closure is very important in understanding our approach to how this will work out. As we mentioned on 7 Wednesday, we will be -- our plan is to use a 8 9 constructed wetland system in order to -- to treat 10 water coming from the Nico site at closure. 11 In order to develop this technology, or 12 at least move -- move towards a -- a more demonstrable 13 model of it, Fortune Minerals will be conducting both 14 indoor and outdoor pilot-scale wetland treatment 15 systems at Contango Strategies Limited facility in 16 Saskatoon. That means that, early in operations, we'll be in a position to build a demonstration-scale wetland 17 18 that's already been proven in the laboratory. 19 As I mentioned earlier, this is not 20 experimental technology, this is a custom build. The 21 technology has already been proven all over the world, 22 and we're just custom building it to the site-specific 23 conditions in order to maximize its efficiency. 24 The idea would be to build -- once the 25 demonstration-scale model has been proven, we would

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move to the large-scale model, and that would be in --1 in operation for ten (10) to fifteen (15) years during 2 operations, so that we can demonstrate to people how 3 this technology works, and so that we have a 4 5 comfortable model -- or a comfortable operating system 6 by the time we reach -- we even get to closure. 7 One (1) of the concerns that many people expressed during our technical meetings was Fortune's 8 9 plan to passively fill the open pit, which would have taken a hundred and twenty (120) years; that means it 10 11 would have taken a hundred and twenty (120) years to 12 reach our final closure condition. 13 Based on input from a variety of 14 concerned parties, including the Tlicho, we have now 15 committed to actively filling the open pit. This would 16 take approximately twelve (12) years, because it would be in accordance with DFO guidelines. The simple 17 18 matter is you simply can't draw that much water out of 19 the Marian River without -- and -- and still maintain 20 its integrity. 21 So early in closure, you start filling 22 the open pit. Your wetland treatment system for the 23 co-disposal facility is already in place and already 24 working. Strategically, though, what you would want to 25 do is, just before the open pit is filled, you would

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stop. There's two (2) reasons for that. 1 2 One is you want to let that water settle You want to let it settle out, because once it 3 out. 4 settles out, there may not be a need for treatment. We 5 would look at the water quality of the open pit. If it 6 still did not meet discharge standards, we would then 7 look at in-pit treatment options. This only makes If you have an opportunity to treat the water 8 sense. 9 in the open pit before it gets released to the environment, why wouldn't you do that? Why wouldn't 10 11 you improve it? 12 If that in-pit treatment worked and 13 there was no further need for treatment, then we -- the 14 open pit would simply be allowed to discharge. I should note that we -- Fortune 15 16 Minerals obtained a second opinion on the volume of 17 discharge that would be coming from the open pit. We 18 actually got a lower number from our second opinion. 19 We're using the -- the higher number that Golder Associates produced for our predictions. 20 21 If the water was unsuitable for release 22 in the -- in the open pit after in-pit treatment 23 attempts, Fortune Minerals would then move ahead with 24 the construction of a second wetland treatment system. 25 However, as I mentioned, this is a custom build, so you

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need to know the chemistry of the open pit before you 1 can build the wetland. 2 3 So it -- so we would measure the chemistry of the open pit, and then build the second 4 5 wetland according to the needs of -- to specifically 6 meet the needs of that particular discharge. You also can't build a wetland without 7 water, so we would have to have open pit overflow in 8 9 order to be able to construct the wetland. 10 The Board asked Fortune Minerals to contruct -- conduct likelihood analyses in terms of how 11 12 confident are we in the various elements of closure. 13 Fortune has examined -- has broken it down, and we are 14 very confident that both the flows and the chemistry 15 from the CDF are going to be within the range 16 predicted. 17 We are very confident that the 18 constructed wetland treatment systems can meet site-19 specific water quality objectives based on past 20 experience and our proposed methods. We're also very 21 confident that adverse effects on receptors are not 22 likely to occur in Nico, Peanut, and Burke Lake and the 23 Marian River with the current closure plan. 24 It should be noted that for the SSWQOs 25 in Nico Lake at closure, our SSWQO is fifty (50). The

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levels of arsenic that are currently going into Nico 1 Lake, as measured earlier this month, are a 112 2 micrograms per litre of arsenic. Therefore, our SSWQOs 3 are roughly half of what's going into the system right 4 5 now. 6 The inclusion of the wetland treatment 7 systems provide an added measure of assurance. The adverse effects on surface waters from the open pit 8 9 will not occur during closure or post-closure. 10 Fortune Minerals also conducted a risk 11 assessment where we looked at the potential risks to 12 the receiving environment with and without wetland 13 treatment. The results of that risk assessment show no difference. There is no -- even without wetland 14 15 treatment, there is no change in risk to that calculated for the closure site -- for closure 16 condition at the Nico site. 17 18 Briefly talk about other elements of 19 closure. As I mentioned earlier, all of the buildings and infrastructures would be removed from the site. 20 21 The fate of the Nico project access road would need to be discussed with the Tlicho government, and we'd be 22 23 open to their suggestions in terms of how they want to 24 deal with that road at closure. 25 Fortune Minerals has committed to

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involving the Tlicho people in the determination of the 1 vegetation cover for the co-disposal facility. We wish 2 to incorporate traditional knowledge into the closure 3 planning for this project as it moves into operations, 4 5 and we will be conducting progressive lecrama --6 reclamation throughout this project in order to move closer to a closure -- closure condition as we move 7 later and later into operations. 8

9 It should be noted that a closure plan 10 is a living document; it's not stagnant. We've made 11 the commitment to revisit the closure plan every five 12 (5) years, because as we've learned from other mining 13 projects, things change, and there's always a need to go back and revisit the closure plan and revisit your 14 plans and update things, and we think that's the most 15 16 effecient -- efficient means of getting things done. 17 So, like I said, it's a living document that will 18 progress as the mine progresses and as -- as we gain 19 more knowledge.

20 With that, I'd like to thank the Board 21 for its time, and Fortune Minerals is ready to answer 22 any questions.

THE CHAIRPERSON: Okay. Thank you for your presentation. You had seven (7) minutes left, so did you want to just repeat? I'm just kidding. Good

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morning. Thank you for your presentation. 1 But before I go to guestions, I just 2 want to confirm the -- and thank the Tlicho government 3 for making a venue available to the Review Board for 4 5 October 10 and 11 for our two (2) day hearing coming up 6 next -- in a few weeks. So I want to say thank you to 7 that. 8 9 QUESTION PERIOD: 10 THE CHAIRPERSON: We'll go into 11 questions now, but before I ask the questions, I just 12 want to continue to emphasize that -- that we have 13 simultaneous translation in the Tlicho language, so if 14 there's no need to maybe explain in -- either in 15 Akaitcho and English. We all have headsets, so I'm 16 just going to ask that we -- maybe we just do that one (1) time if we need to do it that way. 17 18 Okay. So I'm going to go into the 19 order. Sorry? So the -- the order -- I'm going to 20 start from the bottom. Was there any questions from 21 Natural Resources Canada in regards to Fortune 22 Minerals' presentation? 23 24 (BRIEF PAUSE) 25

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MR. ROB JOHNSTONE: Rob Johnstone with 1 2 Natural Resources Canada. Mr. Chairman, I was wondering, in this project, whether there will be 3 continuing exploration to see whether there is 4 potential for extending the mine life, and, of course, 5 bringing that into the mine life planning. 6 7 THE CHAIRPERSON: Thank you for your I'm going to go to Fortune Minerals. 8 question. 9 MR. TOM RINALDI: Tom Rinaldi, Fortune 10 Minerals. As with any mining, there will be ongoing drilling on the property to determine if there are --11 12 are any additional resources available. However, for 13 the -- the Nico pit itself, it is pretty much drilled out. We've drilled it on several occasions, and the --14 15 the ore body there is -- is pretty well fixed. 16 One (1) way to determine that is, our 17 reserve category is all in the major category, the 18 highest category possible, which pretty much tells you 19 that you pretty much know what you have in that 20 discrete area. Thank you. 21 THE CHAIRPERSON: Okay. Thank you. 22 Any further questions from Natural Resources Canada? 23 MR. ROB JOHNSTONE: Thank you, Mr. 24 That's a very complete answer, and that's Chairman. 25 what I was seeking. Thank you, and no further

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1 questions. 2 THE CHAIRPERSON: Thank you. I'm going to go to Transport Canada. Any questions for Fortune 3 Minerals on their presentation? 4 5 6 (BRIEF PAUSE) 7 8 THE CHAIRPERSON: Don't see any hands 9 up or money coming out. I want to go to Environment 10 Canada. Any questions for Fortune Minerals? 11 12 (BRIEF PAUSE) 13 14 THE CHAIRPERSON: Okay. I don't see anybody. I'm going to go to Aboriginal Affairs and 15 16 Northern Development Canada, AANDC. Any questions for Fortune Minerals on their presentation? And, again, I 17 18 just want to emphasize that it'd be -- make your 19 questions clear and to the point. Thank you. 20 MR. ROBERT JENKINS: Thank you, Mr. Chair. It's Robert Jenkins, Aboriginal Affairs. Got 21 with me Nathen Richea, also Aboriginal Affairs. 22 23 I'll just start with a question on the 24 wetland treatment. So if water needs to be treated 25 through this process, one (1) of the key issues is

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performance through time. You're proposing that this 1 be a walk-away solution. So I'm just wondering if you 2 could detail, through examples or experience in other 3 sites, what's required after. So is any monitoring 4 5 required? 6 As well, if you could identify what you would know as the longest period of record on 7 performance. So you're looking at potentially up to a 8 9 perpetual situation, so what have we seen -- have you seen these things work for; are we talking ten (10) 10 years, twenty (20) years, thirty (30) years, fifty (50) 11 12 years, a hundred (100) years? What has been proven? 13 And in those examples, it would be also 14 useful for you to say, you know, It was -- longest 15 thing that I know is a hundred (100) years, but that 16 was for municipal waste water, or that was for toxic 17 waste. Thank you. 18 THE CHAIRPERSON: Thank you for your 19 question. I'm going to go to Fortune Minerals. 20 21 (BRIEF PAUSE) 22 23 DR. RICK SCHRYER: Rick Schryer, 24 Fortune Minerals. I'll answer the first part of your 25 question, and then Dr. Haakensen will answer the -- the

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1 latter part.

2	In terms of length of performance, the
3	best example out there is the grid ponds that are
4	currently on site. They've been there since the last
5	ice age. They are still removing arsenic from the
6	water at a rate of about 50 percent removal. That
7	you know, that's a perfectly workable model in terms of
8	a wetland that removes metals from a system, so I think
9	that's a very good example of how even just a natural
10	wetland can, over a very long term, continue to remove
11	metals from water.
12	Dr. Haakensen will provide the second
13	part of the response.
14	DR. MONIQUE HAAKENSEN: As far as
15	constructed wetlands, I would not know the longest-
16	standing one ever. There are hundreds of constructed
17	wetlands treating mining waste around the world right
18	now.
19	As an example, though, there are
20	constructed wetlands I know of that are treating mine
21	wastes that have been in operation for over the past
22	quarter century, and it is well documented that their
23	performance actually sorry. Sorry. Oh, closer. It
24	is well documented that their performance actually
25	improves over time as these wetlands become fully

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functional over the years. 1 2 THE CHAIRPERSON: Thank you. I'm going 3 to go back to AANDC. 4 MR. ROBERT JENKINS: Thank you, Mr. 5 Chair. Robert Jenkins. Thank you for your answer. 6 Just a followup to that: I'm just wondering if some of that information has been provided 7 on the record, and whether or not it might be useful to 8 9 the Board. I think it might be useful to the Board in their determinations. 10 11 So I'm just wondering how hard it would 12 be to maybe provide several case examples of some of 13 these items, perhaps -- perhaps through an undertaking. 14 Thank you. 15 THE CHAIRPERSON: Thank you. I'm going 16 to go back to Fortune Minerals. That's a good 17 question. 18 MS. MONIQUE HAAKENSEN: Monique 19 Haakensen, Contango Strategies. We have actually 20 submitted a document yesterday morning to the Board 21 that lists several examples. Just a couple of 22 different examples of constructed wetlands that are 23 currently treating mine effluent: there is the Bell 24 Copper mine in BC, there is the Birchtree mine in 25 Manitoba, there is the Dunka mine in Minnesota, USA.

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There is the Keno Hill mine in the Yukon, which has 1 been operating for several years and is treating the 2 mine effluent from that mine, too, and obviously that's 3 a cold climate. 4 5 So there are many examples of long-term, 6 functioning constructed wetlands treating mine waste, 7 including in cold climates. Thank you. 8 THE CHAIRPERSON: Thank you. So if 9 it's on the Review Board public registry, then it'll probably be posted in probably the next few days. So 10 11 I'll go back to AANDC. 12 MR. ROBERT JENKINS: Thank you, Mr. Chair. It's Robert Jenkins. Thanks for that. Looks 13 like you've provided something, so we'll -- won't 14 15 pester you for an undertaking for something that's been 16 -- been provided. So we'll review that. Look forward to taking a look and roll that into our closing 17 18 remarks. 19 Nathen Richea now has a couple of 20 questions. Thank you, Mr. Chair. 21 MR. NATHEN RICHEA: Thank you. It's Nathen Richea with the Water Resources Division at 22 23 Aboriginal Affairs. 24 First question is regarding whether 25 Fortune is committing to build a constructed wetland

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treatment system for the CDF and for the pit overflow 1 as part of the closure and reclamation for the site? 2 3 THE CHAIRPERSON: Thank you. I'll go to Fortune Minerals. 4 5 DR. RICK SCHRYER: Rick Schryer, 6 Fortune Minerals. Yes, that is indeed the case. We will be building the wetland treatment system for the 7 CDF; that's the one we're building early in operations. 8 9 We want to be able to demonstrate the technology 10 throughout operations and show everybody it works so that that model is in place and operational by the time 11 12 we reach closure. 13 As I mentioned in my talk in Whati, 14 Fortune Minerals is also committing to building the 15 second wetland treatment system, should it be required. 16 As I just mentioned in my talk, we're first going to look at the open pit and see if we can deal with water 17 18 quality in the open pit before we -- before having to build the second wetland. 19 20 And, like I said, we need to have the --21 if -- the chemistry of the open pit is critical to the 22 design of the wetland in order to optimize its 23 performance. But if the second wetland is needed, 24 Fortune Minerals will build it, and I fully assume 25 that, you know, in terms of our closure costing or

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closure bond, the cost of filling the open pit and the 1 cost of the second wetland will be included. 2 3 THE CHAIRPERSON: Okay. Thank you. I'm going to go back to AANDC. 4 5 MR. NATHEN RICHEA: Thank you, Mr. 6 Chair. It's Nathen Richea with the Water Resources Division, Aboriginal Affairs. 7 8 Yeah, I guess the context of the 9 question was -- I was looking at the August 20th memo, 10 the response to the Mackenzie Impact Review Board question, and it looked like the steady-state 11 12 concentrations for the open pit were the same as the 13 passive filling. 14 So I was just wondering whether or not, 15 over the long term, the wetland treatment system may be 16 required. Thanks. 17 THE CHAIRPERSON: Thank you. I'll qo 18 to Fortune Minerals. 19 DR. RICK SCHRYER: Rick Schryer, 20 Fortune Minerals. I'm fairly confident that the open 21 pit won't require treatment. Of course, time will 22 tell. Our model is extremely conservative in that 23 we're assuming that the open pit circulates. With 166 24 metres of depth, I fully expect that it'll stratify and 25 that you'll have all of the denser solutes at the

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33 bottom of the pit and the freshwater on the top. 1 2 That's been the experience with a lot of previous open pits, but we're being very conservative 3 here in saying, you know, if this is the worst-case 4 prediction for water quality in the open pit, that's 5 6 the -- that we presented and if those are the conditions, then we would build a second wetland 7 treatment system. 8 9 Like I said, there's a couple of options 10 before that in terms of in-pit treatment that we would examine, but if it's required, then we could move ahead 11 12 with the design. 13 THE CHAIRPERSON: Okay. Thank you. I'm going to go back to AANDC. 14 15 MR. NATHEN RICHEA: Thank you, Mr. Chair. It's Nathen Richea with the Water Resources 16 17 Division. I have about three (3) more questions. Is 18 that -- okay. 19 So the question I have now is: What are 20 the reductions that would be achievable through a 21 constructed wetland treatment system, for example for 22 arsenic? I think naturally we're looking at about a 50 23 percent reduction. Is there a range of reductions for 24 arsenic that can be provided? 25 And can you also explain how those

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reductions may change per parameter, or whether they 1 would sort of be in the same ballpark? 2 3 THE CHAIRPERSON: Okay. Thank you. I'll go to Fortune Minerals. 4 5 6 (BRIEF PAUSE) 7 Monique 8 DR. MONIQUE HAAKENSEN: 9 Haakensen, Contango Strategies. In past work that we have done treating arsenic with constructed wetlands, 10 11 we have achieved as much as 87 percent removal, and 12 that is using levels of arsenic that are similar to 13 what is predicted for the Nico seepage, so 300 micrograms per litre. 14 15 Our current designs that we're working 16 on, which further optimize this, we are looking at getting this down to even lower concentrations and --17 18 and better removals. So the constructed wetlands do 19 achieve better removal than a natural system normally 20 would, and this is because we learn from the natural 21 system and apply that knowledge to optimize things. 22 23 (BRIEF PAUSE) 24 DR. MONIQUE HAAKENSEN: Other metals 25

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that can be removed with a constructed wetland include 1 cadmium, aluminum, iron, selenium, and a wide range of 2 other metals that we have worked with in the past. We 3 have provided a list of references into different 4 5 projects we have worked on the past, and the types of 6 metals in those projects, in the closure memo that was 7 filed on August 20th. 8 THE CHAIRPERSON: Thank you. I'll go 9 back to AANDC. 10 MR. NATHEN RICHEA: Thank you. It's 11 Nathen Richea with the Water Resources Division. Just 12 a quick followup. 13 So are there projected reductions 14 similar, I quess, between parameters? And I noted you 15 haven't included nutrients in -- in those parameters of 16 concern, so I was just wondering if there is a potential for reduction of -- of nutrients as well. 17 18 Thanks. 19 THE CHAIRPERSON: We'll go to Fortune 20 Minerals. 21 22 (BRIEF PAUSE) 23 24 DR. MONIQUE HAAKENSEN: Monique 25 Haakensen, Contango Strategies. Our -- the purpose of

performing the pilot wetlands is to calculate the 1 actual removal rates of each of the different 2 constituents of concern. So this is part of the custom 3 design of a wetland, and calculating the removal rates 4 5 of each element in this water for this specific site. And, with that information, we can appropriately scale 6 the wetland to remove the percentages that we need to 7 for the project. 8 9 We can also -- as you've asked, yes, we can treat for nutrients with the wetlands. 10 11 THE CHAIRPERSON: Thank you. I think 12 you've got one (1) more question, AANDC? 13 MR. NATHEN RICHEA: Thank you, Mr. 14 Chair. It's Nathen Richea. I have two (2) more 15 questions. 16 Regarding the constructed wetland treatment system, can you explain a bit how the layout 17 18 would be compared to a natural type wetland system? 19 Are you anticipating a series of grid ponds or cells, 20 or would it be constructed in a way this would mimic 21 sort of a natural type wetland, like you saw -- like we 22 saw in the pictures, I guess, yesterday? Can you just 23 explain that? Thanks. 24 THE CHAIRPERSON: Thank you. Fortune 25 Minerals...?

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1 DR. MONIQUE HAAKENSEN: Monique Haakensen, Contango Strategies. The constructed 2 wetlands that we build are built in -- built with 3 cells, and each cell is in a rectangular shape in order 4 5 to ensure that we have a uniform water flow so we can 6 predict its performance across the entire cell. 7 The configuration of the cells in relation to one another, and the number of cells, and 8 9 the size of each cell will be dependent upon the actual demon -- the data from the demonstration and pilot 10 scales, as well as the topography of the site and input 11 12 from hydrologists and engineers on the best layout for 13 the particular site. 14 THE CHAIRPERSON: Okay. Thank you, Fortune Minerals. AANDC...? 15 16 MR. NATHEN RICHEA: Thank you, Mr. 17 Chair. It's Nathen Richea again with Water Resources. 18 Just my last question: 19 What type of monitoring and at what 20 frequency is being proposed for the wetlands? I noted 21 in your talk the other day there was some discussion of 22 performance monitoring, and then some talks of 'C' 23 (phonetic) testing as well. So I was just wondering if 24 you could sort of explain what type of monitoring and 25 what frequencies you expect, and I guess maybe how long

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you expect the monitoring to occur. Thanks. 1 2 THE CHAIRPERSON: Thank you. Fortune Minerals...? 3 4 DR. RICK SCHRYER: Rick Schryer, 5 Fortune Minerals. We've given some thought to what a 6 monitoring program would look like. Obviously, this 7 would need to be worked out with various agencies and -- and various other interest groups, such as the 8 9 Tlicho, but my thoughts on it are that, you know, any 10 system like this would need to be monitored in -- in 11 order to demonstrate its performance. 12 I would think, initially, yearly you 13 would have to go in, measure, do -- do water quality 14 tests, and prove it that -- that the wetland is 15 performing. Depending on the results of those tests, 16 you know, you would either increase or decrease your 17 frequency, based on what you're seeing. 18 I think, you know, initially, you know, 19 three (3) or four (4) years of -- of yearly monitoring. 20 If it's performing up to -- to standards and it's doing 21 its job, I would think maybe you could back off and go 22 every two (2) years, and then, as people feel more 23 comfortable, even longer than that. 24 I'm fully confident that they'll work. 25 Let's assume that they're not for -- for a second.

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Then you would increase the number of -- of sampling 1 events, and if it continued about -- and if -- if you 2 continued to see a problem, then you would actually 3 start to look at potential adjustments to the wetland 4 5 system itself. 6 But that would be my thoughts in terms of the initial monitoring program that you would have 7 to put in place. 8 THE CHAIRPERSON: Okay. Thank you. 9 That concludes your questions? I want to thank AANDC 10 11 for your questions, and I want to continue on. 12 I'm going to move up to the Government of the Northwest Territories. Is there any questions 13 14 for Fortune Minerals on their presentation? 15 MR. SHAFIC KHOURI: No questions. This 16 is Shafic with ENR GNWT. Thank you. 17 THE CHAIRPERSON: Thank you. Fisheries 18 and Oceans Canada...? 19 MS. SARAH OLIVIER: Sarah Olivier, 20 Fisheries and Oceans. No questions. 21 THE CHAIRPERSON: North Slave Metis 22 Alliance...? 23 24 (BRIEF PAUSE) 25

1 THE CHAIRPERSON: And we'll go the 2 Yellowknives Dene First Nation. 3 MR. TODD SLACK: Todd Slack, YKDFN. 4 Thanks, Mr. Chair. I have one (1) question, and it's, 5 unfortunately, a two (2) part question. Is the Company 6 aware that the best practice that's sort of emerging here in the Territory with the other mines is a three 7 (3) year review of the closure plan? Question --8 9 that's part (a). 10 And part (b) is: Are they willing to commit to that three (3) year review instead of the 11 12 five (5) year review that they proposed? Thank you. 13 THE CHAIRPERSON: Thank you for your 14 final question. I'm going to go to Fortune Minerals. 15 16 (BRIEF PAUSE) 17 18 DR. RICK SCHRYER: Rick Schryer, 19 Fortune Minerals. Todd's pointed out there is a 20 discrepancy in what we've said in terms of our review 21 for the closure plan. One of our IRs actually said 22 three (3) years, and in the closure memo that we sent 23 on August 20th, it says five (5). I apologize for that 24 mistake. It actually is three (3) years. 25 THE CHAIRPERSON: Thank you. There'll

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41 be no more mistakes, eh? Okay. Thank you. I'm going 1 to go to the Tlicho government. 2 3 4 (BRIEF PAUSE) 5 6 GRAND CHIEF EDWARD ERASMUS: Masi. My -- Mr. Chair, masi cho. My question is to the -- my --7 my name is Eddie Erasmus, Grand Chief, Tlicho 8 government. My question is to the wetlands. 9 10 I still find it difficult to understand 11 it. The wetlands -- what if it doesn't work? Is there 12 a plan B if your -- if the plan B, building in the 13 second wetlands, if it doesn't work? 14 THE CHAIRPERSON: Thank you, Mr. 15 Erasmus, for your question. We'll go to Fortune 16 Minerals. 17 18 (BRIEF PAUSE) 19 20 DR. RICK SCHRYER: Rick Schryer, Fortune Minerals. We believe the chances of it not 21 22 working at all are virtually impossible, simply because 23 we'll have done our indoor and outdoor pilot scale 24 before we even get to site. We'll know -- we'll have a 25 workable model before we even start to build the

1 demonstration model at site.

In addition, we're going to be building extra capacity into this wetland to deal with contingencies such as a high-flow event or -- and there'll be contingencies built in there for freshette and for freezing, so that the wetland can accommodate this.

8 So, in short, the chances of, you know, 9 it not working are -- are, well, like I said, virtually 10 impossible, simply because we'll have proven the 11 technology before we even get to site with our indoor 12 and outdoor models. And, based on our past experience, 13 we know these things work, so we're very confident that 14 a plan B isn't required in this -- in this situation. 15 I'd just like to add that you need to remember the results of the risk assessment that showed 16 when we did it without the wetlands in place, that 17 18 there was still no change in risk to the environment

19 without wetland treatment. The wetlands are there to 20 add a measure of safety to the environment as a buffer, 21 to add extra confidence to people that there will be no 22 impacts, but we already know that there won't be based 23 on our rigorous modelling. Thank you. 24 THE CHAIRPERSON: Before we go back to

25 the Tlicho government, so you have already -- the

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discussion that we're having, taking place and based on 1 your presentation, is your plan A, but -- so what 2 you're saying is that there's no need to have a plan B, 3 because you -- you guys believe that this is going to 4 5 work in a worst-case scenario. 6 If there's any failures, what's your 7 backup? 8 DR. RICK SCHRYER: Rick Schryer, 9 Fortune Minerals. Well, it's important to remember that, as I just mentioned, there is no risk to the 10 environment without the wetlands, okay? So there --11 12 you know, in terms of protecting -- protection of the 13 environment, the wetlands are not there to -- to drop 14 metal levels down to where it would be a safe levels, 15 they're -- they're already going to be at safe levels. 16 We want to ensure that these levels can 17 be even lower than the levels that we've predicted, 18 which is why we want to put the wetlands in place. 19 So is there a risk to -- in the environment if the wetlands fail? No. That's the 20 21 answer. 22 THE CHAIRPERSON: Okay. Thank you. 23 I'm going to go over to the Tlicho government. 24 DR. GINGER GIBSON: Masi, Mr. Chair. 25 Thank you for your presentation this morning. The

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Tlicho government recognizes the efforts that Fortune 1 Minerals has made in setting up a plan to undertake the 2 necessary studies and pilot tests to design an 3 appropriate wetland. 4 5 However, given that at least four (4) 6 levels of pilot tests are required to design a wetland tailored to the specific site conditions, don't you 7 agree that there are still many uncertainties with 8 9 respect to the design and functioning of the wetland required for Nico in this northern climate? Ginger 10 11 Gibson for Tlicho government. Masi. 12 THE CHAIRPERSON: Thank you. I'll go to Fortune Minerals. 13 14 DR. RICK SCHRYER: I'm sorry, Mr. 15 Chairman. I didn't -- was there a question in there? 16 What was -- what was the question? 17 THE CHAIRPERSON: Okay. Can you repeat 18 it. 19 DR. GINGER GIBSON: Ginger Gibson, 20 Tlicho government. 21 Don't you agree that there are still 22 many uncertainties, given that you need to prove, 23 through at least four (4) levels of pilot tests, that 24 there are many uncertainties with respect to design and 25 functioning of the wetland required for Nico?

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THE CHAIRPERSON: Okay. Thank you. 1 Fortune Minerals...? 2 3 DR. RICK SCHRYER: Rick Schryer, Fortune Minerals. 4 5 No, we do not agree that there are uncertainties. There are site-specific considerations 6 to be taken into place to optimize the design of the 7 wetlands. They are not uncertainties; they are the 8 9 strength of the design. 10 The strength of this design is that we 11 take the water and the flows and the conditions onsite, 12 and we tailor-make the wetland in order to meet those 13 requirements. So the four (4) stage plan is put in 14 place to make sure that this wetland meets the 15 requirements that it has to in order to achieve the 16 performance that we're looking for. 17 As I mentioned, Mr. Chairman, that is a 18 strength, not a weakness. 19 THE CHAIRPERSON: Thank you. Tlicho 20 government...? 21 DR. GINGER GIBSON: Thank you. Ginger 22 Gibson for the Tlicho government. 23 We are going to be making a presentation 24 later this morning, and -- and -- about the question. 25 I mean, it's clearly Fortune Minerals strongly believes

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that this plan will work, but we do not -- we do not 1 equate belief with fact. 2 3 The -- we would like to ask -- our 4 second question is: Due to the long winters, reducing 5 conditions in the wetlands will be present for longer 6 periods of time. It is the reducing conditions which will result in the release of arsenic from the metal 7 oxides to the water column. 8 9 How long -- how are the effects of the 10 longer winters on the chemical processes going to be 11 mitigated? 12 THE CHAIRPERSON: Okay. Thank you. 13 Fortune Minerals...? 14 DR. MONIQUE HAAKENSEN: Monique 15 Haakensen, Contango Strategies. It's actually part of 16 our design plan to use sulphates to remove the arsenic, and in order to accomplish this, we require reducing 17 18 conditions. So we anticipate that the long winters may 19 actually improve our design through the reducing 20 conditions that are maintained through that period. 21 This, of course, will be confirmed through our pilot 22 and demonstration scales. Thank you. 23 THE CHAIRPERSON: Thank you. I'm going 24 to go to the Tlicho government. 25 DR. GINGER GIBSON: Thank you. Ginger

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Gibson for Tlicho government. 1 I -- I should have mentioned earlier 2 that our -- our expertise that we've brought to assist 3 us in this question is SENES Consultants, and the 4 5 individual who is working with us is in the -- is in 6 surgery today. We do have backup listening and assisting us with some questions, but we may need to be 7 going further on this when our -- when our expert is 8 9 back with -- work -- working with us. 10 We did receive a document from the --11 the Company last night about -- a question that -- that 12 we have, which is, we -- we really do want to see case 13 studies on the operational -- sort of the functionality and the -- and the -- the use of these constructed 14 15 wetlands. 16 And -- and we really differentiate 17 between constructed wetlands and passive wetlands -- or 18 natural wetlands. So we would like to see case studies 19 that look at constructed wetlands in northern environments at similar flows in similar Arctic 20 21 conditions, sub-Arctic conditions. And -- and so we're 22 asking the Developer -- I -- I haven't -- I mean, given 23 that I got that document at 11:00 p.m. last night, I 24 haven't had a chance to read it all and digest it and 25 decide whether that is sort of meeting our needs with

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respect to an undertaking we were going to request, 1 which is those case studies. 2 3 So I'd ask the Developer to address whether that document does indeed address that, or 4 5 whether we could ask for an undertaking, which is a --6 a summary of cases in northern environments in similar conditions with constructed wetlands rather than --7 than natural wetlands, at -- at similar flows and in 8 9 similar conditions. Masi. 10 THE CHAIRPERSON: Thank you, Ms. 11 Gibson, for your question. I'll go to Fortune Minerals 12 on the question. 13 DR. RICK SCHRYER: Rick Schryer, Fortune Minerals. I believe Board member James Wah-she 14 15 made that request, and that was the reason that we sent 16 in the information, the submission that we made to the 17 Board. 18 I would suggest that the Board have a 19 look at that information and decide whether or not it's 20 sufficient to answer that question, and if it isn't, 21 then you can get back to Fortune Minerals with an 22 additional request. 23 THE CHAIRPERSON: Mr. Donihee...? 24 MR. JOHN DONIHEE: Thank -- thank you, 25 Mr. Chair. It's John Donihee. Mr. Schryer, I -- I

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49 really don't think it's in the Board's role to review 1 the material and advise the -- the parties on it. It -2 - it really would be more helpful if you responded or 3 worked directly with Tlicho government on this issue. 4 5 THE CHAIRPERSON: Thank you, Mr. 6 Donihee. And that's -- that's not our role to do that, so that's a very good point. I'll go back to Fortune 7 Minerals. 8 9 DR. RICK SCHRYER: Rick Schryer, Fortune Minerals. 10 11 We believe that the examples -- the 12 reason I said that is we believe that the examples that 13 Dr. Gibson is looking for are provided in that document. And so I think, you know, best thing for her 14 15 -- for right now is for her to have a full look at it with her consultants and get back to us if she feels 16 that there's additional information required. 17 18 THE CHAIRPERSON: Okay. Thank you. 19 I'm going to ask Tlicho government that maybe we could 20 just table this questions, and then look at it this 21 morning. 22 DR. GINGER GIBSON: Thanks. We believe 23 that's fair. Ginger Gibson, Tlicho government. We think that's a fair -- a fair answer, yeah, and we'll -24 25 - we'll go ahead with that. Masi.

1 THE CHAIRPERSON: Is there any further 2 questions? 3 CHIEF CLIFFORD DANIELS: Yes. Chief Clifford Daniels, Tlicho government. Question 4 5 regarding -- actually, it's a request, too. 6 Regarding the wetlands, I think us being 7 downstream of the project that we would request to have independent monitors on -- on the wetlands and have 8 9 annual reporting to us to re-insure the public and TG that it is operating and functioning as presented. 10 11 Masi. 12 THE CHAIRPERSON: Okay. Before we go 13 on to Fortune Minerals, it's a question that's a 14 request, but are you willing to answer that? But then, 15 if you are going to answer it, is there a commitment from Fortune Minerals to -- to deal with this issue? 16 17 DR. RICK SCHRYER: Rick Schryer, 18 Fortune Minerals. As I stated in my presentation, 19 Fortune Minerals has made the offer to work with the 20 Tlicho government on the development of the closure 21 plan. I think the frequency of the monitoring and the 22 reporting requirements we could work out in -- during the -- the course of those deliberations. 23 24 You should also remember that I made the 25 offer to Chief Clifford Daniels in our technical

meetings in February that Fortune Minerals would pay 1 for the monitoring of water quality upstream of the 2 water intake here in Behchoko so that the people in 3 Behchoko could be assured that their water quality has 4 5 been -- remained unchanged. 6 I think that's an important part to actually add to the monitoring for this project in 7 order to give people trust in this community that their 8 9 water quality is still safe. 10 And then I think, in addition to that, with the negotiations on the closure plan and the 11 12 involvement of the Tlicho people will be addressed --13 we'll be able to address their reporting requirements. 14 Thank you. 15 THE CHAIRPERSON: Okay. So in regards 16 to Chief Daniels' question, then, those issues -- well, that request can be addressed and -- and done in --17 18 through a closure plan. So that's my understanding. 19 Correct? 20 DR. RICK SCHRYER: Rick Schryer, 21 Fortune Minerals. That's correct. 22 As I've -- as I've stated earlier, it's 23 our -- it is fully our intention to include the Tlicho people in our closure planning. That's just one (1) 24 25 aspect of it. There's a number of other aspects of

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52 closure planning that they'll need to be involved with, 1 so, I can see them being involved in -- in -- at a 2 variety of levels, and reporting on the wetland 3 efficiency would be just one (1) of those -- those 4 5 tasks. So if you -- if you say a commitment in 6 terms of, yes, we will be reporting on the performance 7 of the wetland treatment system to the Tlicho people, I 8 9 think that's a reasonable request. 10 THE CHAIRPERSON: Okay. Thank you. 11 I'll go back to the Tlicho government. 12 DR. GINGER GIBSON: Ginger Gibson, 13 Tlicho government. Will the Developer be -- will you 14 develop a waste rock sampling program? Masi. 15 THE CHAIRPERSON: Thank you. Going 16 back to Fortune Minerals. 17 18 (BRIEF PAUSE) 19 20 MR. KEN DE VOS: Ken De Vos with Golder 21 Associates. In discussions with Fortune Minerals, they 22 have committed to waste rock monitoring and sampling 23 programs. 24 THE CHAIRPERSON: Okay. Thank you. 25 I'm going to the Tlicho government. Any further

53 1 questions? 2 3 (BRIEF PAUSE) 4 5 DR. GINGER GIBSON: Thank you, Mr. 6 Chair. We have no more questions at this point. THE CHAIRPERSON: Masi for -- to the 7 Tlicho government for posing your questions. 8 9 Next I have the Review Board staff. I'm 10 going to go to Mr. Donihee. 11 MR. BRETT WHELER: Thank you, Mr. 12 Chair. Brett Wheler for the Board. I just have a few 13 questions for the Developer. The first one is about the co-disposal facility, and it's related to a 14 15 statement made by the Tlicho government in their 16 technical report. 17 They contend that the use of an 18 impermeable cover on the CDF would reduce infiltration, 19 essentially eliminate seepage coming out of the CDF. 20 So can you comment, please, on the use 21 of, and the need for -- the possible need for an impermeable cover, and the feasibility of -- of such a 22 23 cover? Thank you. 24 THE CHAIRPERSON: Thank you, Mr. 25 I'm going to go to Fortune Minerals. Wheler.

MR. KEN DE VOS: Ken De Vos with Golder 1 Associates. There are a couple of things to consider 2 when thinking about an impermeable cover. The first is 3 that nothing is really impermeable, so even a synthetic 4 5 cover does have a certain amount of leakage and seepage 6 associated with it, so there will be some seepage out 7 of the pile under -- under that circumstance. 8 The other thing to consider is that -that construct -- constructed covers, especially 9 10 synthetic covers, are not a walk-away type of solution. 11 They require periodic maintenance, and they do require 12 replacement approximately every hundred (100) years. 13 You know, our geotechnical engineer, Ken Bocking, has provided a little bit of information on 14 15 different types of -- of scenarios with respect to 16 that, I believe, and he would -- he would also be able 17 to answer in more detail, if you have further questions 18 on that. But there are a number of drawbacks to 19 impermeable covers that we feel a constructed wetland 20 downstream addresses without the need for that ongoing replacement and -- and maintenance of a cover. 21 22 THE CHAIRPERSON: Thank you. Review Board staff. 23 24 MR. BRETT WHELER: Thank you, Mr. 25 Chair. Brett Wheler for the Board. A quick followup:

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55 Can you comment briefly on the need for maintenance of 1 a natural cover, if any? 2 THE CHAIRPERSON: Okay. Thank you. 3 Ιf 4 we go to Fortune Minerals. 5 6 (BRIEF PAUSE) 7 MR. KEN DE VOS: Ken De Vos with Golder 8 9 Associates. Typically, you would do kind of a -- a periodic inspection with adjustments for erosion, just 10 11 so -- so the maintenance requirements for it. And it 12 also depends on the complexity of the cover and the 13 type of cover that you have in terms of what kind of 14 repair frequency or -- or what -- what -- how much is 15 involved in -- in those types of repairs. 16 So, you know, I believe the design of the CDF now, with the -- the layered system and 17 18 blending of -- of the fine-grain materials or the 19 layering of the fine-grain materials, actually really 20 helps to reduce the seepage rate through the materials. 21 It also helps to reduce the oxygen 22 diffusion and -- and puts the -- the entire CDF into a 23 very stable physical state, which -- which our engineer 24 can address better than I can, and also a stable 25 geochemical state as well with respect to the

consistency of the seepage that we would expect coming 1 out of this -- this facility. 2 Okay. Thank you. 3 THE CHAIRPERSON: I'll go back to the Review Board staff. 4 5 MR. BRETT WHELER: Thank you, Mr. 6 Chair. Brett Wheler for the Board. Thanks for that 7 answer. 8 A couple of -- I'm going to move into 9 some questions on the pit and the wetlands. First one 10 is just a clarification which I think Mr. Schryer has -- has made already. I would just like to -- to clarify 11 12 again that, in the August 20th memo, there are a couple 13 of statements that seem like they may conflict with 14 respect to Fortune's commitment to actively fill the 15 pit. You mentioned in your presentation that 16 17 Fortune has committed to actively fill the pit, but --18 but in response to -- in your letter on August 20th, in 19 Response Number 1, you say: 20 "Fortune has committed to actively 21 filling the pit in the event it is 22 required." 23 If you could just clarify that, please, as -- and particularly since we've heard that it won't 24 25 be possible to know whether -- know the water quality

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of the pit until the pit is actually full. Thank you. 1 2 Thank you. THE CHAIRPERSON: 3 DR. RICK SCHRYER: Rick Schryer, Fortune Minerals. That's an unfortunate consequence of 4 5 cutting and pasting, and it's a typo. Thank you. 6 THE CHAIRPERSON: Okay, thank you. Review Board staff...? 7 8 MR. BRETT WHELER: Thank you, Mr. 9 Chair. Brett Wheler for the Board. Thanks, Rick. 10 With regard to the wetlands and in 11 follow-up to AANDC's questions about longevity, I'd 12 like to ask: What is the likelihood that the wetlands 13 will require any maintenance after construction? And 14 if so, what sort of maintenance and -- and at what 15 frequency? 16 THE CHAIRPERSON: Thank you. I'll go 17 to Fortune Minerals. 18 19 (BRIEF PAUSE) 20 21 DR. MONIQUE HAAKENSEN: The -- oh, 22 sorry. Monique Haakensen, Contango Strategies. The 23 design of these constructed wetlands are such that they 24 require no active management and only periodic 25 monitoring.

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1 As far as potential upkeep that might need to be make (sic), we expect this to be very 2 minimal. However, periodically there might need to be 3 some maintenances of a very minimal and very rare 4 5 occurrence just to maintain the integrity of the 6 wetland. 7 The wetlands are also designed to -- to be able to accommodate any maintenance that needs to be 8 9 done in a very simple manner, requiring very low technical knowledge or ability to do that maintenance. 10 11 These are -- are self-sustaining, so any maintenance 12 that you might think of is -- generally happens by the 13 ecosystem that gets established. 14 THE CHAIRPERSON: Okay, thank you. 15 I'll go to the Review Board staff. 16 MR. BRETT WHELER: Thank you, Mr. Chair. Brett Wheler for the Board. Just in follow up 17 to that, does that include potential issues related to 18 19 freeze/thaw and possible erosion or -- or other --20 maybe slumping associated with the -- the seasonal 21 storage? 22 We've talked about seasonal storage that 23 may be required upstream to -- you know, since the 24 wetland will shut down during the winter, and in order 25 to extend the -- the wetland function throughout --

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throughout the whole summer and contain that water. 1 2 And -- and I'd just like to confirm that -- that there is a walkaway solution or point in time 3 that -- that could be expected to be associated with 4 5 the wetland function. Thank you. 6 THE CHAIRPERSON: Thank you. I'll go 7 to Fortune Minerals. 8 9 (BRIEF PAUSE) 10 11 DR. RICK SCHRYER: Rick Schryer, 12 Fortune Minerals. Keep in mind that we're going to be 13 building our full-scale wetland during operations and 14 it will be running for several years. 15 One of the purposes of that is to fine 16 tune aspects of the design such as you've just mentioned so that, you know, when we get to a final 17 18 closure condition, you know, we've got everything 19 worked out, in terms of the potential flow, you know, 20 in terms of dealing with maybe extreme events or so 21 forth that the -- you know, maybe an equal --22 equalization pond upstream to the -- of the wetland, 23 you know, having it functioning. 24 Those type of things, in terms of the 25 engineering of it, will be worked out when we get the

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60 design specifications from the demonscral --1 demonstration-scale models. But we're fully confident 2 that we'll have addressed all of those issues well 3 before we reach closure so that we can have a final 4 5 design. 6 We need to remember that there's a lot 7 of redundancy in this wetland. There's a lot of multiple cells that act to -- as a back-up to each 8 9 other so that it's not just -- not just one cell and one little part of it. There's re -- there's 10 redundancy in all the cells so that managing the water 11 12 is actually quite easy once you -- you put all of those 13 cells in place. Thank you. 14 THE CHAIRPERSON: Thank you. I'm 15 going to the Review Board staff. 16 MR. BRETT WHELER: Thank you, Mr. Chair. Brett Wheler, for the Board. Just to reiterate 17 18 the -- the question that I tagged on the end there 19 about -- about a walkaway -- about there being a 20 walkaway solution at -- at some point. 21 THE CHAIRPERSON: Fortune Minerals...? 22 23 (BRIEF PAUSE) 24 25 DR. RICK SCHRYER: Rick Schryer,

Fortune Minerals. Yes, I'm confident that we can give 1 some in -- give a statement concerning a walkaway 2 solution. Of course, you know, I would hes -- I 3 wouldn't give that statement until we can -- we've 4 5 provided the data on both the indoor and outdoor pilot 6 plant studies and the demonstration scale model to 7 back-up that statement, but confident that we'll be -at some stage we'll be able to put that in place. 8 9 Thank you. 10 We'll go to the THE CHAIRPERSON: 11 Review Board staff. 12 MR. BRETT WHELER: Thank you, Mr. 13 Chair. Just one (1) -- one (1) more short question. 14 This is related to water quality predictions. And I 15 just wondered if -- if you could respond to the 16 Tlicho's assertion on page 6 of the Tlicho technical 17 report that this would be, quote: 18 "The first base metal mine that did 19 not produce thiosalts by alkaline 20 oxidation in the process plant." 21 And recognizing that the Nico site will have a concentrated rather than a -- a full scale 22 23 process plant, how will this affect operations or 24 predictions of -- of seepage quality or water quality 25 in the -- in the lakes downstream? Thank you.

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1 THE CHAIRPERSON: Thank you. Fortune Minerals...? 2 3 MR. KEN DE VOS: Ken De Vos, with Golder Associates. I -- I think it's important for 4 5 people to understand first what thiosalts are, because 6 I don't think that's -- that's a word that -- and -and it's actually very simple. Thiosalts are -- are 7 simply sulphur and oxygen compounds, so sulphur and --8 9 both of which are essential elements that -- that biologically we use, as well as other animals. 10 11 So what's -- what's the problem with 12 thiosalts then? Thiosalts are produced during grinding 13 and crushing in various operations. Some time -- in some mines they're produced, in other mines they're not 14 15 produced and it's a function of -- of the process. 16 Usually in the concentrating phase there's not a lot of thiosalts produced. This mine may produce small 17 18 amounts of thiosalts, it's a possibility. 19 But I think what's important to realize 20 is that -- that it's a function of the crushing and 21 grinding, so it's an operational issue. So if thiosalts are produced they're going to be produced 22 23 during the operations. They're very short lived. 24 The other thing that -- that is 25 important to know about thiosalts is that they're

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actually just intermediary chemical steps betwe --1 during an oxidation of a -- a sulphide mineral like 2 pyrite. So when pyrite oxidizes it takes a number of 3 steps to oxidize, and those thiosalts are -- are the 4 5 intermediary -- are -- are products of the intermediary 6 steps. They don't last long. So it's -- it's --7 you'll have different sulphur oxygen compounds as it goes from a sulphide mineral into a sulphate, which is 8 9 soluble in water. 10 And what happens when -- when those thiosalts would hit a wetland is, instead of oxidizing 11 12 they -- they may oxidize fully to a sulphate or they 13 may reduce fully into a -- back into a sulphide 14 mineral, which get -- would get retained in the soils 15 of the wetland. 16 So we don't expect that thiosalts, even if they are produced in the -- in the -- and that's 17 18 something that would be monitored for, we don't expect 19 that they would persist in the environment. Even if 20 they did persist in the environment they would simply 21 revert to a sulphate form in the environment. 22 Now the -- the trouble is that during 23 that process some acidity may be released, so a very 24 simple solution to that would be to add some alkalinity 25 during the process. So you add a little bit of

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neutralizing agent during the process to counteract the 1 -- the acidity that might be produced with the thiosalt 2 oxidation. 3 4 I hope that answers -- answers your 5 question. 6 THE CHAIRPERSON: Okay. Thank you. We'll move back to the Review Board staff. 7 8 MR. BRETT WHELER: Thank you, Mr. 9 Chair. Brett Wheler, for the Board. No further 10 questions from Board staff. 11 THE CHAIRPERSON: Okay, thank you. 12 Before I go to my Board Members, I think I want to go 13 back to Rick Schryder -- Schryer. 14 You have -- you had mentioned that you 15 were talking about making a statement, I guess I have a 16 question in regards to that. And I -- I guess, whether 17 we -- could get that statement to us soon, or do we 18 take it as an undertaking? 19 DR. RICK SCHRYER: Rich Schryer, Fortune Minerals. We -- Fortune Minerals is confident 20 21 that this will be a walkaway solution, as we have 22 indicated in our presentation and our submissions to 23 the Board. Is that -- is that sufficient for your 24 needs? 25 Well, yes, I would THE CHAIRPERSON:

But the thing is, I just want to make sure we 1 sav. have it on record so that it's there. 2 3 DR. RICK SCHRYER: Yeah. 4 THE CHAIRPERSON: Very good. Thank 5 Okay. I'm going to go to my far right, Mr. John you. Curran. Is there any questions for Fortune Minerals on 6 their presentation? 7 8 MR. JOHN CURRAN: Thank you, Mr. 9 Chairman. Just one (1) quick one here. Obviously your 10 closure plans rely heavily on plants, microbes, and 11 other elements of the natural world and natural 12 processes. Bearing in mind that things are still very 13 conceptual at this stage, is this a period where you would envision a heightened involvement of the 14 15 community Elder monitoring committee that you 16 referenced yesterday? Thank you. 17 THE CHAIRPERSON: Thank you, Mr. 18 I'm going to go to Fortune Minerals. Curran. 19 DR. RICK SCHRYER: Rick Schryer, 20 Fortune Minerals. We envisioned, you know, the Elders 21 Advisory Committee to be involved in a variety of 22 aspects of mine planning and development. The two (2) 23 that come to mind right away is the Wildlife Effects 24 Monitoring Plan that we discussed yesterday and the 25 closure plan that we've discussed today. I could see -

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66 - and certainly the Aquatic Effects Monitoring Plan for 1 operations, I think are three (3) off the top of my 2 head that I could think of that the Elders Advisory 3 Committee would be involved with. Part of the closure 4 planning, of course, is the wetland treatment system, 5 6 so I would definitely see their involvement in that. 7 THE CHAIRPERSON: Okay. Thank you. Board Member, John Curran? 8 MR. JOHN CURRAN: Thank you. Nothing 9 further, Mr. Chair. 10 11 THE CHAIRPERSON: Thank you. Mr. James Wah-shee, Board Member? 12 13 MR. JAMES WAH-SHEE: Thank you, Mr. 14 Chairman. I have a question the -- in regards to the 15 wetlands, the -- the long-term maintenance. You made 16 reference to periodic -- little maintenance, you indicated. So my question here is: What would this 17 18 maintenance consist of? Could you expand on that, 19 please. 20 THE CHAIRPERSON: Thank you, Mr. Wah-21 shee. I'm going to go to Fortune Minerals. 22 23 (BRIEF PAUSE) 24 25 DR. MONIQUE HAAKENSEN: Monique

Haakensen, Contango Strategies. Other wetlands that we have built for other situations to clean different types of water, we have designed these other constructive wetlands in a low maintenance or no maintenance fashion, but also in a manner that requires maintenance.

7 So we have ideas of the types of maintenance we do on these other wetlands, such as 8 9 insuring flows are maintained and so forth. However, 10 for this specific site and the designs that we're putting together for this site that are very much 11 keeping in mind that this does need to eventually 12 13 become a walkaway solution we will be able to answer more fully -- exactly whether there will be required 14 15 any maintenance, and if so, specifically what those maintenance would be after we're done the demonstration 16 17 scale.

18 The design -- I'd just like to reiterate 19 that the design of the constructed wetland we're doing for the NICO site is designed for no maintenance. And 20 21 during the pilot and demonstration scales we will be 22 further optimizing our design and engineering of the wetland to ensure that there is no maintenance 23 24 required. 25 THE CHAIRPERSON: Thank you. I'm

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going to go to Board Member, Mr. James Wah-shee. 1 2 MR. JAMES WAH-SHEE: Thank you, Mr. Chair. A follow-up to that question. I gather that 3 you're making reference to maintenance of other 4 5 wetlands. But I quess my interest here is that other 6 wetlands, in regards to maintenance, whether it's 7 short-term or long-term. 8 Could you give me an example, in regards 9 to maintenance of wetlands, in reference to perhaps other mines? Because when you make reference to 10 wetlands there is a whole variety. You're dealing with 11 waste materials. You made reference to the military 12 13 waste in Anchorage, Alaska; that's military clean-up. 14 But my interests in regards to how this 15 wetland would operate and function, and also in regards 16 to its maintenance, my interest is -- I would like to -- you to state what other mines has used the wetlands 17 18 and how long the maintenance was, specifically in the 19 examples regarding the use of wetlands in regards to the other mines' locations in cold weather. Thank you. 20 21 THE CHAIRPERSON: Fortune Mineral...? 22 23 (BRIEF PAUSE) 24 25 DR. MONIQUE HAAKENSEN: Monique

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Haakensen, Contango Strategies. We are designing this 1 2 wetland to become maintenance free. However, in other wetlands that do require maintenance the types of 3 maintenance that can be required, for example, include 4 5 introducing additional buffering capacity to maintain a 6 specific pH. That is not something that has to be done 7 regularly. This is something that could be added and 8 then maintained for a long period of time again. Also, 9 adjusting the water depth to further optimize later 10 down in time, and also maintaining water flows from one 11 (1) cell to another are different types of maintenance 12 that are sometimes done on these wetlands, that is in a 13 wetland that is designed to require maintenance. 14 Examples of mines in the North that I have given previously include mines such as the Keno 15 16 Mine in the Yukon. However, I would like to explain 17 that it is not the industry that is generating the 18 water that is of importance to the constructed wetland, 19 it matters what the water is like. So it doesn't

20 matter if it is a mine or a coal power plant, or an oil 21 and gas process, or a landfill that is producing the 22 water. It matters what the chemistry of the water is 23 and what the contaminant is.

And so these are the things that are taken into consideration when we design the wetland; is

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70 the volume of water, the type of contaminant, the other 1 parameters of the water such as pH and the nutritional 2 properties, and not -- wetlands are not specifically 3 dined -- designed to a single industry. 4 5 6 (BRIEF PAUSE) 7 8 DR. MONIQUE HAAKENSEN: And for an example of a constructed wetland that is currently 9 10 working for a mine in the northern climate, I presented the example of the Keno Mine in the Yukon. I hope that 11 12 answers the question. 13 THE CHAIRPERSON: Thank you. Mr. Wah-14 shee...? 15 MR. JAMES WAH-SHEE: Well, you made me 16 a little more curious, with your question. 17 Anyway, a follow-up to that: You stated 18 that the -- the wetlands that are created for a variety 19 of uses, it really doesn't matter what the intent or the design for these wetlands. Is that what you're 20 21 indicating to me? 22 In other words, so it doesn't matter 23 whether it's a military clean-up, mining, hydro dams, et cetera, is that what you're indicating to me? 24 25 THE CHAIRPERSON: Fortune Minerals...?

1 DR. RICK SCHRYER: Rick Schryer, Fortune Minerals. What Dr. Haakensen meant was -- and 2 as I stated earlier, the design of the wetland depends 3 on the water chemistry that you want to treat. 4 5 So what she is saying is that they have designed wetlands for a huge list of different water 6 7 quality problems that they've encountered. This one would be tailor made to, you know, arsenic, or 8 9 aluminum, or cobalt, or whatever we have in our water. 10 The cells would be set up in order to specifically 11 treat the levels of metals that we anticipate to see in 12 that water. 13 And the strength of what she's talking 14 about is that they've done this for nuclear power 15 plants and coal power plants where, you know, maybe the 16 issue was selenium and maybe the issue was uranium or, you know, and something like that -- a variety of 17 18 metals and they've been able to deal with every --19 every problem that they've been in -- they've been 20 presented with, in terms of treatment. They've been 21 able to specifically design a wetland that treated that 22 water. 23 And that's where our confidence comes from in terms of developing this wetland; is that we 24 25 know that the systems that they've developed in Africa

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and Anchorage and the Yukon and in southern United 1 States have all done their job in a variety of 2 different conditions with a variety of different 3 metals. This is no different. This is just one more 4 5 (1) -- one (1) more tailor made wetland. 6 And it doesn't matter what the activity is that gives rise to the chemical. As she mentioned 7 it's -- it depends on what is the water chemistry, 8 9 what's the problem. 10 THE CHAIRPERSON: Okay, thank you. 11 James Wah-shee...? 12 MR. JAMES WAH-SHEE: Thank you, Mr. 13 Chairman. I suppose my question really has to do with a clarification, so that I can have a better 14 15 understanding of the role and function of wetlands in a 16 variety of situations. And in I -- as I understand it 17 the function of wetlands is to cleanse the -- the 18 chemicals and so -- so that's the reason for my 19 question. 20 I'm not really questioning whether the 21 wetland concept is doable or not. My question is 22 basically so that I can understand how wetlands are 23 designed, what is planned for, and what is the duration 24 of the maintenance. And -- and in regards to the 25 maintenance, I wanted to understand what type of

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maintenance would be required. So I think, Mr. 1 Schryer, you shed light on that, so I thank you. 2 3 THE CHAIRPERSON: Thank you. Mr. Richard Mercredi...? 4 5 MR. RICHARD MERCREDI: Yeah, I have a 6 quick question. I guess I -- I find this very 7 interesting, the wetlands, and it's a unique situation, and it's being used elsewhere and many other places 8 9 around the world -- I guess, mining and stuff. But I'm just wondering -- the question I have is: Do you -- is 10 11 there any wetlands out there are operating under a 12 post-closure type situation? 13 THE CHAIRPERSON: Thank you. Fortune 14 Minerals...? 15 16 (BRIEF PAUSE) 17 18 DR. MONIQUE HAAKENSEN: Monique 19 Haakensen, Contango Strategies. The constructed wetland that our team members have built at the 20 21 Savannah River site in the United States, that is a 22 Super Fund site that was taken on and had long-term 23 runoff and -- of different -- multiple different 24 elements and constituents or concern. And that is 25 operating with a -- currently a maintenance schedule of

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only one (1) -- or sorry, a monitoring schedule of once 1 per year and that is operating after the closure of the 2 facilities there. Thank you. 3 Oh, and the Savannah River site is a 4 5 former nuclear facility in the United States. Thank 6 you. 7 THE CHAIRPERSON: Okay. Thank you. Richard Mercredi...? 8 9 MR. RICHARD MERCREDI: Yeah, just one 10 (1) more -- just a clarification, I quess. When you're talking about the wetlands you had mentioned that the 11 12 wetlands create microbes -- I'm not sure if that's 13 right -- and which remove -- like say, arsenic. In my mind I was thinking that the -- the wetlands -- what 14 15 the wetlands purpose was to actually -- like, when you 16 have water with contaminants in it, it's -- like, suspended in the water, and as it's moving through it's 17 18 attached to the water, right? And I was thinking that 19 the wetlands would slow the water down slow enough so 20 that the contaminants fall out as opposed to microbes 21 eating it, or whatever. 22 I just need a little clarification on 23 that. 24 THE CHAIRPERSON: Okay. Thank you. 25 I'll go back to Fortune Minerals.

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1 DR. MONIQUE HAAKENSEN: Monique Haakensen, Contango Strategies. Microbes are 2 absolutely fascinating things. And what most people 3 don't realize is that there are more microbes in a 4 5 handful of soil than there are humans on all of earth. 6 And so they are always there and they are normally doing very beneficial things for us, or they're there 7 and ready to help us out in the way that we end up 8 9 using them in these wetlands. 10 And so, you are correct, the wetlands 11 will slow the flow of the water. And we actually 12 calculate the flow of the water that we need to remove 13 these contaminants. But it is a combination of the 14 plants, the type of soil that we put in, that flow-rate 15 of the water we just discussed, as well as the microbes 16 that end up removing that contaminant from the water. So it's all the things working together in a natural 17 18 ecosystem. 19 THE CHAIRPERSON: Thank you. Richard Mercredi...? 20 21 MR. RICHARD MERCREDI: Yeah, thank you, 22 Mr. Chair. No more questions. 23 THE CHAIRPERSON: Thank you. I'm 24 going to go to Board Member Danny Bayha. 25 MR. DANNY BAYHA: Thank you, Mr. Chair.

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I just had a couple questions, if I may. And earlier I 1 think we talked about wetlands. It's a lot of 2 information. I think there's still some -- some 3 questions that's -- probably the Board and the public 4 5 has it and we certainly, probably still have it too, as 6 well. 7 I guess, when we use the word "remove" contaminates from water, I'm just curious as to remove 8 9 to where? Where does it end up? Is it going to still 10 be in the wet -- wetlands? Are we talking it disappear 11 into thin air? 12 So can you maybe clarify that a bit. 13 Thank you. 14 Thank you, Mr. THE CHAIRPERSON: 15 Bayha. I'm going to go to Fortune Mineral. 16 DR. MONIQUE HAAKENSEN: Monique 17 Haakensen, Contango Strategies. When I refer to the 18 contaminants being removed from the water, in the 19 constructed wetlands they are placed into the soil or a 20 sediment of the wetland. And so what happens is that 21 they change from a soluble form, which is in the water, 22 to a precipitate and insoluble form in a mineralized 23 form in the soil which is of a much lower toxicity and 24 has much reduced impacts, and it is long-term and 25 stable in the soil in that form.

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77 1 THE CHAIRPERSON: Thank you. Mr. 2 Danny Bayha...? 3 MR. DANNY BAYHA: Thank you. I quess, going back to the earlier issue of -- of monitoring of 4 5 these wetlands and stuff, you had a issue that one of 6 the -- in your presentation you had traditional 7 knowledge will be incorporated into the closure planning. I imagine this includes the wetlands. 8 9 How -- do you have an idea of how that 10 might work out? Thank you. 11 THE CHAIRPERSON: Thank you. Fortune 12 Minerals...? 13 14 (BRIEF PAUSE) 15 16 DR. RICK SCHRYER: Rick Schryer, Fortune Minerals. These wetlands will depend on 17 18 natural plants. That's what we plan on using, is 19 plants in the area. I think that's the best avenue for 20 people to provide traditional knowledge or advice in 21 terms of the natural plants in the area; where they 22 might be located, where the best ones might be to take. 23 So -- because these wetlands are, like I said, very 24 dependent on the type of plants that you put in them, 25 that's what I think is the best avenue for input by

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these people. Thank you. 1 2 THE CHAIRPERSON: Okay. Thank you. Danny Bayha...? 3 4 MR. DANNY BAYHA: Thank you. I 5 appreciate that answer. The other one earlier you 6 mentioned, again goes back to that wet whole thing about wetlands and the issue of where this is 7 happening. I understand now Fortune probably has other 8 9 mines in the world or in the country; are they using wetlands as a form of treatment out in their 10 11 facilities? Thank you. 12 THE CHAIRPERSON: Fortune Mineral...? 13 14 (BRIEF PAUSE) 15 16 DR. RICK SCHRYER: Rick Schryer, Fortune Minerals. I just want to make sure I 17 18 understand the question. Are you asking if Fortune 19 Minerals has other facilities, or just other facilities 20 in general that are using wetland treatment? 21 THE CHAIRPERSON: Mr. Bayha...? 22 MR. DANNY BAYHA: Thank you. Yeah. 23 And mostly, if Fortune Mineral has other mines, or 24 planning to open other mines elsewhere besides here 25 that their planning to use wetland as its form of

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treatment of contaminated water, so forth. Thank you. 1 2 THE CHAIRPERSON: Fortune Minerals...? 3 DR. RICK SCHRYER: Rick Schryer, Fortune Minerals. This is the first mine that Fortune 4 5 Minerals will be developing and is, consequently, the 6 first one where we're proposing wetland treatment. 7 Obviously when we demonstrate the technology we think it's something that we could move forward to other 8 9 projects, but for now this is our only one. 10 THE CHAIRPERSON: Thank you. Dannv 11 Bayha...? 12 MR. DANNY BAYHA: Thank you, Mr. Chair. 13 Thank you for that answer. One of the last questions I 14 had was: You have a nineteen (19) year mine life, and 15 things certainly -- people live in the area would be 16 certainly interested on -- on exactly the amount of, if you will, tailings, contaminants, that'll -- might be 17 18 left once this mine closes? 19 So, apart from, you know, you have an 20 idea of the percentage of cobalt and metals coming out 21 you can probably give us a possible guess of how many -22 - let's say pounds or tonnes of -- of arsenic, for example, could be aluminum, that might be remaining in 23 24 the area. Of course, there's going to be treatment, 25 but still you have wetland treatment as you proposed,

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reverse osmosis as you proposed, but that will be an 1 act of removal of these metals from site as well. 2 3 But, apart from that, can you give us maybe some -- an idea of what will be left in that 4 5 area? Thank you. 6 THE CHAIRPERSON: Thank you, Mr. Bayha, 7 for your final question. Fortune Mineral...? 8 9 (BRIEF PAUSE) 10 11 MR. KEN DE VOS: Ken De Vos, with 12 Golder Associates. Currently, the -- the arsenic and 13 all the other minerals, aluminum, make up part of the 14 rock. So -- so those materials are currently right 15 there in what will be the open pit. And Fortune is not proposing to change 16 the amount of materials on that particular site. 17 What 18 they're going to do is just move it from the pit into 19 the -- the pile. They will be removing some -- some of the metals and sulfates as concentrate, which will be 20 21 shipped to Saskatchewan, but the proportions and 22 percentages will remain the same. 23 We have the chemical analysis in 24 Appendix 7.2 of -- of the DAR, in terms of parts per 25 million of each of those chemicals, and as well as the

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averages in terms of parts per million. I can't 1 remember those numbers off the top of my head, but I 2 can certainly look in those tables and -- and provide a 3 reference to that table if you're interested in that, 4 so that the percentages would be approximately the same 5 6 as -- as currently in -- in that area. 7 THE CHAIRPERSON: Mr. Bayha, did you have any more questions? 8 Yeah. 9 MR. DANNY BAYHA: Yeah. Thank 10 you, yeah. But I was just hoping to get sort of an idea for the public for -- as well as ourselves, an 11 12 idea of what will be there. You know, for example, in 13 the other mines you -- you pretty well -- when they closed down, you -- they pretty well probably have a 14 pretty good idea what they're dealing with, in terms of 15 -- of long term monitoring, long term reclamation if 16 that be the case. 17 18 So it would be very helpful, I think, at 19 least for -- for myself as -- as a Board member, that 20 it would be nice to know what will be available, or be 21 there on site. Of course, you know, there's 22 percentages, so from there you can certainly calculate 23 that. I'd rather it comes from Fortune Minerals rather than somebody giving us a guess that -- that -- you 24 25 know, what -- what will be left behind and -- and for -

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- for the communities or elsewhere, or for government, 1 in this case, to deal with once the Company -- their 2 lease lapses, or whatever, they close -- they have to 3 walk away from this, so I would rather that happen. So 4 5 I -- Mr. Chair. 6 THE CHAIRPERSON: Thank you. 7 DR. RICK SCHRYER: Rick Schryer, Fortune Minerals. In our August 20 closure analysis to 8 9 the Board we did provide flow rates and chemistry for the CDF so that you know what's there for the CDF. We 10 also provided flow rates and chemistry modelling 11 12 predictions for the open pit, so again you know what's 13 there. And we also provided the design specs and the 14 expected performance from the wetland treatment 15 systems, and our overall risk assessment to look at the 16 potent -- the overall impacts of the project on 17 traditional uses which were basically the same. The 18 usages doesn't change. 19 So all of that information is in the 20 closure analysis. It is available for the Board to 21 review. 22 THE CHAIRPERSON: Okay. I'm going to 23 go back to Danny Bayha. 24 MR. DANNY BAYHA: Thank you. Okay. 25 Well, I'll move on. The final question. I don't know

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about the -- these wetlands but it keeps going back 1 here. Is smell going to be an issue with this, odour, 2 with these wetlands? Thank you. 3 4 THE CHAIRPERSON: Thank you, Mr. Bayha. 5 Fortune Minerals...? DR. RICK SCHRYER: Rick Schryer, 6 Fortune Minerals. Without being trite, they'll smell 7 like a wetland. They won't -- there won't be any odour 8 9 that you wouldn't have in other -- any other natural 10 occurring wetland. 11 THE CHAIRPERSON: Okay. Thank you. 12 Board member Danny Bayha...? 13 MR. DANNY BAYHA: Thank you. That's 14 all I had, Mr. Chair. 15 THE CHAIRPERSON: Okay, thank you. I'm going to go to Rachel Crapeau, Board member. 16 17 18 (BRIEF PAUSE) 19 20 MS. RACHEL CRAPEAU: I also had 21 concerns about the wetlands, but you mentioned that the 22 information is on the public registry. I will double-23 check and see what the information is going to say as I 24 read. 25 But what I was thinking about was having

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lived in Dettah and seen how -- when we drive by this 1 road to go to Yellowknife we saw this little land all 2 nice and clean, and it looked really nice. And over 3 the next fifteen (15) to twenty (20) year, thirty (30) 4 years, we've got a big hill that wasn't there before, 5 6 and that's what your -- your section of your closure is 7 going to look like in -- in the end when -- when you -when you close shop and have to walk away. 8 The runoff from that, plus supposing 9 10 water rose quite high, and -- and it went downwards towards the Marian River, how will the wetlands 11 12 function? Will it still be working just as well as --13 as when you're -- you're in operations, and -- and will 14 it be able to handle high water just in case we got --15 we -- we had lots of snow one (1) year, and in that 16 same -- after the snow melt, lots of rain, will -- will the wetlands be able to handle a lot of water? 17 18 THE CHAIRPERSON: Fortune Minerals...? 19 20 (BRIEF PAUSE) 21 22 DR. RICK SCHRYER: Rick Schryer, 23 Fortune Minerals. During our pilot scale testing, we'll be testing the performance of the wetland in 24 25 extreme flow events and extreme drought events; so what

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if there's hardly any water, or what if there's lots 1 and lots of water. That's in relation to the 2 performance of the wetland. 3 In relation to the physical issues that 4 5 might happen in terms of an extreme rainfall event or 6 freshette at site, the wetland will be designed to be able to take that capacity without overflowing. 7 That'll be one (1) of the design aspects of the -- of 8 9 the wetland. 10 Our thoughts on that is that we would 11 put what's called an equalization pond upstream of the 12 wetland, and it would capture all the water from 13 snowfall, and then release that water at a constant 14 rate through the wetland to -- and that -- that 15 optimizes its performance. But they will be designed to deal with freshette and extreme rainfall events in 16 17 order to address your concerns. 18 THE CHAIRPERSON: Thank you. Rachel 19 Crapeau...? 20 MS. RACHEL CRAPEAU: Thank you. 21 Because I just remember one (1) time in Dettah when I 22 was quite young we had rain every day, so much so that 23 hardly anybody went house to house visiting, the 24 children were not playing outside, and people started 25 to start praying. I haven't seen that much rain like

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1 that, but you never know down the road after post-2 closure what could happen, and how things will function 3 and work.

And you also -- you also mentioned that your TK knowledge will be incorporated into clo -closure planning as Nico project moves into operations. Are you going to start planning that pretty quick, or are you going to wait until a year before operations? I was just wondering.

10 DR. RICK SCHRYER: Rick Schryer, 11 Fortune Minerals. The timing of the next step in our 12 closure planning depends a lot on our timing of 13 engagement with the Tlicho government. I would like to 14 start moving that closure plan to -- forward this fall 15 and -- so that we have a preliminary closure plan ready for the water licensing period. That would be my goal. 16 17 THE CHAIRPERSON: Okay. Rachel, any 18 more questions? MS. RACHEL CRAPEAU: No more questions, 19 20 Mr. Chair. 21 THE CHAIRPERSON: Okay. Percy 22 Hardisty...? 23 MR. PERCY HARDISTY: No questions, Mr. 24 Chair. 25 Okay. Thank you. THE CHAIRPERSON:

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We're going to maybe take a five (5) minute break, but 1 again I think what I'll do is we'll -- we'll take lunch 2 at 12:30, and then we'll come back. We're going to 3 take a half hour lunch, but I want to say that maybe --4 5 because of the schedule and time we have, I want to 6 maybe ask the presenters to -- because we already had the -- your presentation on the public registry, what 7 we could do is I'd like you to look at your 8 9 presentation, and again the people that are going to be asking questions be -- I'm going to limit your 10 questions, and then -- but we need to be point -- right 11 12 -- right to the point, and right to -- direct. Thank 13 you. 14 MR. BILL ENGE: Mr. -- Mr. Chairman...? 15 THE CHAIRPERSON: Yes? 16 MR. BILL ENGE: Could I beg the Board's 17 indulgence. Unfortunately we had some mechanical 18 problems this morning, which led us to be late arriving 19 here. But I would like to -- to ask the proponent a 20 couple of questions in regard to the -- the closure 21 plan. If you would allow us to have -- make a couple 22 of questions? 23 THE CHAIRPERSON: Well, right now we're 24 going to take a break, and -- and we got a schedule, 25 and we did call the North Slave Metis, and then three

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(3) other people that weren't here. So we've got to 1 maintain the schedule, but if we -- if we are not able 2 to get to -- to you, Bill, maybe we could just take it 3 in writing, just so that we can maintain the schedule 4 5 we have. 6 Okay. So we'll take a five (5) minute 7 break. 8 9 --- Upon recessing at 11:04 a.m. 10 --- Upon resuming at 11:17 a.m. 11 12 THE CHAIRPERSON: Okay. This morning 13 we said that we're going to try to get done here by noon and have a half hour lunch and go forward, but 14 15 we're running behind again. And one (1) of the things 16 that -- we said that we want to keep the schedule, so 17 I'm going to ask that as we go forward into the 18 presentations, like I said ear -- earlier, if we could 19 make it brief, and if there are people that are going 20 to ask questions keep them brief. But then now I'm 21 going to limit -- limit those questions. So if you 22 have ten (10) then you -- you summarize of the ten (10) 23 of -- and you choose -- you choose what questions you want to ask and I'll take maybe up to three (3) 24 25 questions from the presenters.

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But this morning, also when I made the -1 - the ruling -- read out the ruling in regards to 2 meeting here for July and the date and time, we -- we 3 had a problem. I quess one (1) of the presenters 4 5 wasn't -- was supposed to be here. Apparently they 6 broke down, so they couldn't be here. But North Slave 7 Metis had requested for one (1) question and I want to allow that and then we'll go into the next part of the 8 9 presentation by Environment Canada and -- and we'll go from there. So I want to turn it over to Mr. Bill 10 11 Enge. 12 MR. BILL ENGE: Thank you, Mr. 13 Chairman. Bill Enge, from North Slave Metis Alliance. 14 And I thank the -- the Chair's indulgence for allowing 15 me to make -- place a question to the proponent. 16 The question is this: The proponent has indicated that one (1) of the contaminants that is 17 18 going to be a residual from the mine is arsenic. 19 Arsenic is a very serious contaminant, as we all know, 20 especially in Yellowknife where we're from when we're dealing with tonnes of arsenic trioxide at the old 21 22 Giant Mine, and it's a very serious concern to the 23 North Slave Metis Alliance members. Now, I just want 24 to understand the mechanics of what the proponent is 25 proposing in order to contain the arsenic from

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1 polluting our water system in our lands.

2 As I understand it, the arsenic is going to -- to be a product of the mining process. 3 The arsenic is going to flow into the water system, leach 4 5 into the water system. The arsenic is then going to be 6 captured into artificial wetland ponds. And then the arsenic is going to be eaten by organisms or microbes 7 in the water. And eventually the arsenic is going to 8 9 fall into the sediment of these wetland cells. And the question here I have is: What is the concentrations 10 that the proponent has calculated in terms of arsenic, 11 12 and just how much concentration of the arsenic is going 13 to be into the ground, and do they expect the arsenic 14 to flow through the wet -- through the watershed, and 15 are they saying that none of it is going to reach the 16 Great Slave Lake? Thank you. 17 THE CHAIRPERSON: Thank you, Mr. Enge, 18 for your only question. I'm going to turn it over to 19 Fortune Minerals, and then we'll go onto the 20 presentation. 21 22 (BRIEF PAUSE) 23 24 DR. RICK SCHRYER: Rick Schryer, 25 Fortune Minerals. Just to make sure we -- we cover

1 this properly, during operations we will be using a
2 reverse-osmosis system to treat the water that would be
3 going into -- that'll be discharged into Peanut Lake.
4 Our site specific water quality objective would be 50
5 milligrams per litre of arsenic. Keep in mind that
6 that's considerably lower than what's going into the
7 natural system right now.

8 At closure, our SSWQO would be the same. 9 It would be 50 milligrams per litre of arsenic. That's after wetland treatment. And so our SSWQOs are the 10 same micrograms per -- micro litres -- or micrograms 11 12 per litres, sorry -- per litre. Those SSWQOs would be 13 the same at closure. Those are levels that we have modelled and found to be safe for the environment. 14 15 Thank you.

16 THE CHAIRPERSON: Thank you. Okay. 17 Thank you for your response. And I'm going to --18 before we go into the next presenter, like I said 19 earlier, that I'm going to limit the questions down to 20 three (3) now. So if you had ten (10) or fifteen (15), 21 well, you take your three (3). 22 And -- and the other thing is that the 23 people that are doing presen -- presentation here, and 24 this -- and if I -- if you only -- if you didn't get 25 all your answers questioned (sic), and -- and you were

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giving the three (3), what you could do is write a 1 letter, and -- to the presenter. And what we'll do is 2 we'll have that on registry, and then we'll wait for 3 the responses from whoever you wrote the letter to, and 4 5 that'll also be placed on the registry, so everybody could see it in case we're not able to get everybody's 6 7 questions here this morning. 8 With that, I'm going to continue on now 9 with presentations by AANDC. And -- and I'm going to 10 ask if we could maybe get you guys to really condense your presentation because we already have it on the 11 12 public registry. And then the people that are going to 13 be asking questions, we -- we ask you that you -- you 14 pick your best three (3) questions. Thank you. 15 MR. ROBERT JENKINS: Thank you, Mr. Chair. It's Robert Jenkins, Aboriginal Affairs. Just 16 one (1) small point. We'll try to do our presentation 17 18 as quickly as we can. I just notice that it's the 19 Tlicho government's presentation on the screen, and I -20 - I don't think that they want AANDC speaking for them 21 today. 22 THE CHAIRPERSON: Thank you for 23 pointing that out. We'll get that fixed. 24 25 CLOSURE - PRESENTATION BY AANDC:

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1 MR. ROBERT JENKINS: Thank you, Mr. Chair. Again, my name is Robert Jenkins. I'm the 2 acting director of Renewable Resources and Environment 3 for Aboriginal Affairs Northern Development Canada, in 4 5 short AANDC. With me today, to my left, Mr. Nathen 6 Richea with the water resources division. To my right Scott Duke, legal counsel. And behind me sitting I 7 have Mr. Paul Green, also with the water resources 8 9 division. 10 First, just want to thank the Board for 11 allowing us to speak today. I'd like to thank the 12 community of Behchoko for hosting us here. 13 Mr. Chair, from our technical review of 14 the information provided by the developer, Aboriginal 15 Affairs has discussed three (3) main areas of concern, 16 and these include site-specific water quality objectives, aquatic effects monitoring, and closure and 17 18 reclamation. 19 On Wednesday I described for the Board the first two (2) aspects and how they are intertwined 20 21 and related to closure. Today we will provide a short 22 presentation regarding our concerns in relation to 23 closure and reclamation of the proposed Nico Mine site. 24 25 (BRIEF PAUSE)

Aboriginal Affairs 1 MR. ROBERT JENKINS: 2 developed the mine site reclamation policy for the Northwest Territories in response to a number of 3 instances where the Crown assumed environmental 4 5 liability of a site due to an insolvency and subsequent 6 abandonment of a mining property. 7 The principles of the policy identify that mine site reclamation should reflect the 8 9 collective desire and commitment to operate under the 10 principles of sustainable development, including the polluter pays principle, and that every new mining 11 12 operation should be able to support the cost of reclamation. 13 14 Mr. Chair, the policy was developed to 15 ensure protection of the environment and for the 16 disposition of liability related to mine closures in the NWT. As such, the reclamation security must equal 17 18 the total outstanding liability of the mine 19 development. It is understood, as is the case with 20 other operations in the NWT, the cost of reclamation 21 may progressively increase with each stage of mine development. 22 23 Following the release of the policy in 24 2002, Aboriginal Affairs initiated the development of 25 the mine site reclamation guidelines as a companion

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document. A key concept of these guidelines is to 1 2 design for closure and reclamation. 3 The goal here is to minimize long-term care and maintenance and to eliminate perpetual care 4 5 requirements. Determining walkaway scenarios with 6 minimal maintenance post-reclamation is particularly 7 important in the NWT due to the isolated location of a majority of active and proposed mine sites and a 8 9 resulting high access and transportation cost. 10 The department has two (2) primary 11 concerns with the closure scenarier -- closure scenario 12 for the proposed Nico project as described in the DAR: 13 1) is the length of time required for the pit to fill naturally, and 2) is the need for passive or active 14 15 water treatment post-closure. 16 Mr. Chair, there were two (2) scenarios for flooding the open pit that were discussed in the 17 18 DAR. The first was allow it to fill naturally over 19 approximately a hundred and twenty (120) years, and the other was active flooding over a period of 20 21 approximately ten (10) years by pumping from the Marian 22 River. 23 We've heard that the Company has 24 committed to actively filling the pit upon closure.

25 Aboriginal Affairs agrees with the approach and

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strongly prefers that the pit be actively filled over a 1 period of approximately ten (10), and we heard today 2 twelve (12) years, if this schedule does not 3 significantly impact the water quantity of the local 4 5 system -- namely, the Marian River. 6 The Department believes that this is a 7 more manageable option from a mine closure perspective and ensures that the proponent addresses outstanding 8 9 reclamation liabilities as efficiently as possible. Aboriginal Affairs' position is to eliminate the risk 10 11 and long-term liability as soon as possible following 12 the end of mining operations. 13 Mr. Chair, while Aboriginal Affairs is 14 pleased that Fortune has committed to actively filling 15 the pit, some uncertainty does remain regarding the 16 long-term quality of water that will need to be managed 17 on the site. 18 Fortune has proposed constructed 19 wetlands as a potential walkaway solution to the 20 management of long-term water quality and has identified a series of studies and work that would be 21 22 required to confirm the suitability of this treatment 23 option. 24 Aboriginal Affairs agrees that 25 additional effort is required to develop closure

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options that will eliminate the need for long-term
 treatment and associated care and maintenance. This
 work should occur early in the closure planning process
 to allow for any potential adjustments or revisions to
 the proposed closure strategy.

6 So with that, Mr. Chair, the Department 7 recommends that active flooding of the open pit be the preferred closure scenario for the Fortune Nico 8 9 project. We also recommend that a key element of the 10 closure planning process during operations should be to 11 identify and develop methods to eliminate the need for 12 passive or active long-term treatment of water leaving 13 the site post-closure.

14 So, Mr. Chair, Fortune Minerals is proposing the development of a cobalt, gold, copper, 15 and bismuth mine, located in the Tlicho region of the 16 Northwest Territories. Any effects of the proposed 17 18 project should be limited such that they do not impact or limit traditional use of this area now or into the 19 20 future. Where possible, the Department has provided recommendations to the Review Board to assist in their 21 22 decision-making process, to minimize the potential 23 impacts of this project both in magnitude and temporal 24 extent.

And with that, Mr. Chair, I would like

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to thank the Board for the opportunity to speak. 1 And we're open for questions on our technical report. 2 3 QUESTION PERIOD: 4 5 THE CHAIRPERSON: Thank you for your 6 brief presentation. I want to thank you for -- for doing that. Okay, I want to go to questions now. 7 The following order I have now is Fortune Minerals Limited, 8 if you have any questions for AANDC on their 9 10 presentation. 11 DR. RICK SCHRYER: Rick Schryer, 12 Fortune Minerals. No questions. Thank you. 13 THE CHAIRPERSON: Okay, thank you. I'm 14 going to go to Tlicho government. 15 DR. GINGER GIBSON: Masi cho. Ginger 16 Gibson for the Tlicho government. Thank you for your 17 presentation. 18 Would you -- would -- do -- would AANDC 19 support the setting of a security deposit during the 20 conceptual closur -- closure phase that reflects 21 multiple options, that is flexible to incorporate the 22 possible need for active treatment, and then release 23 the Developer from the security deposit related to the 24 active treatment obligations if passive treatment 25 becomes a proven technology? Masi.

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1 THE CHAIRPERSON: Okay, thank you. Before I go to Fortune Minerals again, I just want to 2 remind the people that, again, we're going to limit 3 them to three (3) questions and then, you know, we'll 4 5 go from there. So thank you for your first question from the Tlicho government. Going to Fortune Min --6 sorry, AANDC. 7 8 MR. ROBERT JENKINS: Thank you, Mr. 9 Chair. It's Robert Jenkins, Aboriginal Affairs. Thank 10 you for the question. 11 The setting of the security deposit that 12 I -- as I had mentioned on Wednesday, is the 13 responsibility of the Wek'eezhii Land and Water Board 14 for this case. So when we move to the water licensing phase, the project will be required to post a security 15 16 associated with the water licence. It may also be 17 required to post security associated with a land use 18 permit and potentially also a land lease, depending if 19 -- if one is -- one is obtained by the Proponent. 20 In regards to what scenarios we would 21 put in an estimate for, I think that we've really, at 22 this point in time, still need to look at the 23 information that's coming in. And so I don't want to say right now that the security estimate would include 24 25 things like active treatment or not. It really depends

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on, again, review of the information that's coming in, 1 the risks that are presented. 2 3 And I think that though in the past we have at times collected security or recommended that a 4 5 security be set which includes alternatives, in this 6 instance I don't know if active treatment would be that alternative. It may be something different, which 7 would absolve some of the issues associated with 8 9 whether or not passive treatment will work. 10 THE CHAIRPERSON: Thank you. We'll go back to the Tlicho government, second question of the 11 12 three (3) questions. 13 MS. GINGER GIBSON: Thank you, Ginger 14 Gibson, Tlicho government. The Tlicho government has 15 put forward the idea of peer oversight that we 16 mentioned to you the other day in Yellowknife. And 17 we're wondering about AANDC's support of a measure to 18 include active peer oversight of the new technologies, 19 including the -- the co-disposal facility and of the 20 wetlands treatment fac -- facility. Thanks. 21 THE CHAIRPERSON: I'll go to AANDC. 22 MR. ROBERT JENKINS: Thank you, Mr. 23 Chair. It's Robert Jenkins with Aboriginal Affairs. 24 I think that the -- moving forward with 25 this project, the Proponent will have to gather and

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1 obtain different regulatory approvals including, as I 2 mentioned previously, land use permit, water licence, 3 potentially a land lease. These instruments would 4 cover operations and -- at the co-disposal facility and 5 operations at the mine site.

Generally these are handled through the 6 Board, as I mentioned previously. The Board is --7 often in its authorizations, they would have a number 8 of plans. These plans would probably be related to 9 10 things like the co-disposal facility. And generally, the Board moves through these processes and garners 11 12 information from experts, including government 13 departments. and I'm sure that they would be looking 14 for input from the Tlicho government, other parties. 15 So I think that that process, in reality, could --16 could accommodate and received the input that I think 17 you would be looking for. 18 THE CHAIRPERSON: Thank you. I am

19 going to go to the Tlicho government for the third and 20 final question.

21 MS. GINGER GIBSON: Masi, we have no 22 final question.

23THE CHAIRPERSON: Thank you. I'm going24to go to the Yellowknives Dene First Nation.

MR. TODD SLACK: Todd Slack, YKDFN.

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Thank you, Mr. Chair. I have a single question. 1 2 Following on the Tlicho, from AANDC's perspective, does the fact that the Proponent have a 3 single property $\mathbf{\Phi}\mathbf{\Phi}$ pardon me, a single development 4 5 affect the recommendation that they would put forward 6 to the Wek'eezhii Land and Water Board, in terms of 7 security? 8 THE CHAIRPERSON: Thank you, Todd Slack from YKDFN for your only question. Fortune 9 Minerals...? 10 11 MR. ROBERT JENKINS: Thank you, Mr. 12 Chair, it's Robert Jenkins with Aboriginal Affairs. 13 In regards to when the Department puts 14 forward recommendations on the amount of security, what 15 we look for is the amount of security that is required 16 for that project. So as we discussed earlier, the 17 question from the Tlicho government, the department 18 will put forward a recommendation based on what it 19 feels is needed and it will look at the risk. And if 20 there is some outstanding risk, it will look at whether 21 or not it needs to hold money for an alternate solution 22 while the Company is gathering information to prove 23 what it's putting forward. And we have done this in 24 the past. 25 So I think that whether or not they have

one (1) property or multiple properties doesn't really 1 -- doesn't really pay -- or, sorry, not "pay" -- play 2 into account. And I think that in reality, in the end, 3 what the bond is, is a bond. And what you'll see in a 4 5 water licence is that they can't start operations until that bond is posted. And so $-\Phi$ so if for some reason 6 7 the fact that they -- they only have one (1) property and -- and is sort of a mute (sic) point. They still 8 9 would have to put up the bond that is set by the Wek'eezhii Land and Water Board, generally in advance 10 of starting their operation. 11 12 THE CHAIRPERSON: Thank you. I am 13 going to go over to the North Slave Metis Alliance. 14 MR. BILL ENGE: Thank you, Mr. Chairman. 15 Bill Enge for the North Slave Metis Alliance. 16 Yeah, I am interested in furtherance to 17 the Tlicho question in regard to the placement of a 18 security bond to ensure that in case the so-called 19 passive cleansing method doesn't work, what mitigating 20 measures they have considered would be appropriate to clean up the mess, should there be one. And I was 21

22 wondering if they gave any thought to just how much of 23 a security bond would be appropriate in this context.

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(BRIEF PAUSE)

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Yeah. Before I go to 1 THE CHAIRPERSON: Fortune Minerals with that question, I think that 2 responsibility belongs to the Land and Water Board, the 3 Mackenzie Valley Land and Water Board, but I'm going to 4 turn it over to Fortune Minerals. If you want to re --5 6 respond to -- oh, sorry, AANDC, sorry. I'm -- I'm... 7 MR. ROBERT JENKINS: Thank you, Mr. 8 Chair. It's Robert Jenkins. Over to Fortune, please, 9 for that. We -- it's a little premature, I think, right now for -- for the Crown to think about what it 10 11 would need to do to clean up the Nico Project. That's 12 -- within our policy, we maintain that's a 13 responsibility of the proponent. The policy states 14 that the polluter pays. We've developed mine site 15 closure guidelines to -- to provide input into 16 oversight and Board processes on the level of detail 17 and planning. 18 I think that once we move a little 19 forward and start having those discussions on planning, Aboriginal Affairs will defiantly be putting its 20 21 technical input into that, and we would be evaluating 22 internally of whether or not we need to propose to the 23 Board that additional funds be held for alternative 24 options in the interim while the passive treatments

25 scenario is being proved on site.

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1THE CHAIRPERSON:Thank you.I want to2go to North Slave Metis for second of the three (3)3questions.

4 MR. BILL ENGE: Thank you, Mr. 5 Chairman. Bill Enge here from North Slave Metis 6 Alliance. Just to make sure I understand the response by the AANDC rep, as I understand it, AANDC is going to 7 be an active overseer of the experiment with these 8 9 wetlands to see if in fact this passive cleansing 10 system works while the mine is in actual operation. And 11 if they find that the system is not working, then they 12 would take some measures to fix the problem. 13 Do I understand that, that is what I 14 heard? Thank you. 15 THE CHAIRPERSON: Thank you, Mr. Enge. 16 I'm going to go to AANDC. 17 MR. ROBERT JENKINS: Thank you, Mr. 18 Chair. It's Robert Jenkins with Aboriginal Affairs. 19 As I understand the process moving forward, we're 20 currently in the environmental assessment process. 21 That's under the purview of the purview of the Review 22 Board. They will make a determination, which they will 23 provide to the Minister on this project, and they'll 24 include any measures that they need to in regards to 25 closure, including the proposed passive treatment

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system. 1 2 So those will be carried forward and implemented as this project proceeds to the Wek'eezhii 3 Land and Water Board. That is the body that will 4 5 oversee the water licence and the land use permit for 6 this operation. So they will be the ones who will require management plans, different things like that, 7 in regards to water treatment. 8 9 They will also establish the bond as I 10 previously discussed. They will also potentially 11 include things like reclamation research. That is the 12 oversight body that requires, early on in the site, 13 preliminary closure plan through the mine life; interim 14 closure plans; and as we near closure, a final closure 15 plan. 16 But as we move through all of those 17 stages, they request technical input, technical input 18 from -- or other input, traditional knowledge input 19 from First Nations, from government agencies, and --20 and other potential Intervenors. 21 So it's not Aboriginal Affairs who, in 22 essence, requires all that and oversees this project, 23 but they contribute to it. We do hold the bond that's 24 established by the Wek'eezhii Land and Water Board for 25 this operation.

1 THE CHAIRPERSON: Thank you. I'll qo to the North Slave Metis for your final question. 2 3 MR. BILL ENGE: Yes. Thank you, Mr. Bill Enge, for the North Slave Metis 4 Chairman. 5 Alliance. You know, it's a pretty important role that 6 AANDC is playing in this -- the mine approval process, since it is the only present government agency in the 7 Northwest Territories, and usually -- and -- and 8 9 holding the money for a project is a pretty serious responsibility. So I don't see the AANDC's role in 10 this as very weak. In fact, it's pretty serious. 11 And with that in mind, what I'd like to 12 13 know as well is are -- is -- is AANDC going to put 14 together an independent monitoring agency, and support 15 it, to ensure that the water is monitored properly and 16 cleansed properly and safe for human beings to use? Thank you. 17 18 THE CHAIRPERSON: I'll go to AANDC. 19 MR. ROBERT JENKINS: Thank you, Mr. 20 Chair. It's Robert Jenkins with Aboriginal Affairs. Ι 21 hope in my previous response I wasn't downplaying 22 Aboriginal Affairs' role in this -- in this 23 undertaking. 24 We take that role quite seriously. We 25 take the holding of a security bond quite seriously.

Again this is why, due to insolvencies in the past, we developed a policy. We developed guidance documents. We participate actively in Board processes. And we provide technical input into closure. So I don't want to downplay our responsibilities at all. We take them very seriously.

7 In regards to an independent monitoring agency, I think we need to look at what is existing 8 9 before we establish something new, and we need to do 10 that for each project. We need to look at the 11 concerns. We need to ensure that people are aware of 12 what's going on. And does that happen through existing 13 mechanisms? And if it doesn't, what is left over? So 14 are there things left over that isn't dealt with 15 through the Land and Water Boards and other agencies? 16 And at that point, then you need to evaluate who and how, and who is involved, and -- and 17 18 how it gets established. So at this point, I think 19 that there still needs to be further discussion on 20 that. 21 THE CHAIRPERSON: Okay. Before I go to 22 the next presen -- presenter, so what you're saying is 23 that you're not saying no to the -- to that question? 24 MR. ROBERT JENKINS: Thank you, Mr. 25 Chair. It's Robert Jenkins with Aboriginal Affairs. Ι

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109 didn't say no. I also didn't say yes. So I think 1 that, again, moving forward, it's an item for 2 discussion. This is an item which comes up for every 3 project. 4 5 I think each one (1) is unique. I think 6 the -- the -- some of the issues may be overlapping. But I think that we need to really look at whether we 7 can, you know, solve those problems and so -- resolve 8 9 those concerns through existing mechanisms before we 10 establish another body. 11 THE CHAIRPERSON: Good answer. Thank 12 you. Okay. I'm going to continue on with Fisheries and Oceans Canada. 13 14 MS. SARAH OLIVIER: Fisheries and 15 Oceans, no questions. 16 THE CHAIRPERSON: Thank you. 17 Government of Northwest Territories...? Sorry, your 18 name? Sorry. 19 MS. SARAH OLIVIER: Sarah Olivier with 20 Fisheries and Oceans. 21 THE CHAIRPERSON: Okay, thank you. 22 Government of Northwest Territories...? 23 MR. SHAFIC KHOURI: Mr. Chair, no 24 questions. Shafic with ENR. 25 THE CHAIRPERSON: Thank you.

Environment Canada...? 1 MS. SARAH-LACEY MCMILLAN: Sarah-Lacey 2 McMillan with Environment Canada. No questions. 3 4 THE CHAIRPERSON: Thank you. Transport Canada...? 5 6 7 (BRIEF PAUSE) 8 THE CHAIRPERSON: Not here. Natural 9 10 Resources Canada...? 11 MR. JOHN KING: John King, Natural 12 Resources Canada. No questions. Thank you. 13 THE CHAIRPERSON: Okay, thank you. 14 Review Board staff...? 15 MR. JOHN DONIHEE: John Donihee for the 16 -- Board counsel, and there are no questions from staff 17 or counsel. 18 THE CHAIRPERSON: Thank you. To my 19 left, Board member Percy Hardisty...? 20 MR. PERCY HARDISTY: No questions, Mr. 21 Chair. 22 THE CHAIRPERSON: Thank you. Rachel 23 Crapeau, Board member...? 24 MS. RACHEL CRAPEAU: No questions, Mr. 25 Chair.

111 1 THE CHAIRPERSON: Thank you. Board 2 member Danny Bayha...? 3 MR. DANNY BAYHA: Just one (1) small, quick question, if I may, Mr. Chair. The security 4 5 deposit, who decides how that's used up during the 6 course of -- of reclamation? Thank you. 7 THE CHAIRPERSON: Thank you, Mr. Bayha. AANDC...? 8 9 10 (BRIEF PAUSE) 11 12 MR. ROBERT JENKINS: Thank you, Mr. Chair. It's Robert Jenkins with Aboriginal Affairs. 13 So 14 the security deposit, as I mentioned earlier, the 15 authority is with the Land and Water Board to set the 16 amount, and then the Department holds that amount. So often when -- in the setting of the amount there's a 17 18 calculation done, what is this money for? 19 But that said, as you move through 20 operations generally any on site issues are resolved 21 directly with the Company. And only in sort of a worst-case scenario would the Department look towards 22 23 using it if something needed to get done. I've never 24 seen that occur in the past, to my knowledge. 25 Generally, the money gets accessed if

112 the Company goes insolvent or -- or bankrupt. And so 1 then the -- the money then is -- the key to the bond is 2 sort of the form. There's different forms that -- that 3 it can be held in. So the Crown looks to holding a 4 5 form which is readily converted to cash, that's the 6 optimal one (1), if it's not cash. And ultimately, then the site would be in the hands of the Crown, and 7 they would utilize the funds to clean up the site. 8 9 THE CHAIRPERSON: Thank you. Board 10 member Danny Bayha...? 11 MR. DANNY BAYHA: So you guys hold --12 decide how it's spent? That's -- that's all I wanted 13 to know, who was in charge of how that money is spent. 14 Thank you. 15 THE CHAIRPERSON: Thank you, Mr. Bayha. I'm going to go to Board member Richard Mercredi. 16 17 MR. RICHARD MERCREDI: Thank you, Mr. 18 Chair. No questions. 19 THE CHAIRPERSON: Board member James Wah-shee...? 20 21 MR. JAMES WAH-SHEE: Mr. Chair, I've 22 got no questions. Thank you. 23 THE CHAIRPERSON: Thank you. Board 24 member John Curran...? 25 MR. JOHN CURRAN: Thank you, Mr. Chair.

I have no questions at this time, but thank you for 1 2 your presentation. 3 Okay, thank you. THE CHAIRPERSON: Ι want to thank the Aboriginal Affairs and Northern 4 5 Development Canada for your presentation. Masi. 6 I'm going to go to -- the next one of 7 the presenters is going to be the Tlicho government. And also, as you set up, on the agenda here it says 8 9 that you're scheduled for thirty (30) minutes, so I'm 10 going to try to see if we could try and get all the 'Q' 11 and 'A's at the same time, in that time frame. Thank 12 you. 13 14 CLOSURE - PRESENTATION BY TLICHO GOVERNMENT: 15 16 (INTERPRETED FROM TLICHO INTO ENGLISH) 17 18 ELDER CHARLIE APPLE: Thank you, Mr. 19 Chairman. I live in Behchoko. My name is Charlie 20 Apple. I am going to be talking a bit on the proposed 21 mine, and I'd like to talk about the closure as well. Will it -- will it look the same as it 22 23 does now? Will -- will they be able to reclaim it back 24 to the original state that it's in right now? And I'm 25 also -- I'm going to touch a bit on the wildlife around

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1 that area. Would they still be healthy, like they are 2 now?

3 I understand that they will be using arsenic to process the -- the minerals in that area. 4 5 And -- and I also know that water will be used. So he 6 says the waters are going to be contaminated and going. So if it goes through the soils and if it goes through 7 the wetlands, would all of the water be cleansed? Like 8 9 -- like they're claiming that it will, but what if the water is not cleansed properly the way it should? 10 What 11 if it contaminates the land, the soil, the wildlife in 12 that area?

And from what I understand, is that they're saying -- they're claiming that -- that wetlands will capture the contaminants and keep it in in one (1) spot. He says, I -- I have a hard time understanding that, because everything on this planet is always on the move.

Now I'm also curi -- I'm also concerned about the closure of the mine. Will they be able to bring it back to the original state that it is in right now? And I'm -- I'm also concerned about the chemicals that will be used at the site. How well will -- will it be monitored so that it doesn't damage and destroy the area too much?

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1 There's a lot of small games. There's rabbits, there's ptarmigans, all these small games. 2 And -- and I'm sure that the chemicals will be going 3 through the food chain like it does with everything 4 5 else. 6 And -- and they said that they'll be able to reclaim the area to the original state. Will 7 they be able to -- to clean the area of all the 8 9 chemicals that will be used during the operation? 10 Now, these are concerns that -- that I have, so I know there is a lot of questions that will 11 12 be asked. We -- we always -- we always are con --13 concerned about the contaminants, because we do live 14 off the land. We hunt and trap in the areas. 15 And when we -- when we want to speak about the concerns, we can go on for hours. Now, I can 16 17 sit here all day, and my concerns and the passion for 18 the land will not end. And we -- I can talk about the 19 -- the areas that I trap in, the areas that I hunt in, 20 the fishing. Now after -- after the closure, will they be able to -- to cleanse the area as well as they say 21 22 they would? 23 And what about the -- the water that's 24 contaminated with the -- with the chemicals? Will they 25 be able to get rid of the chemicals and cleanse the

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116 water so that humans can consume it? What if there is 1 a seepage? What if -- what if there's a large spill 2 and -- and it -- and it flows into Marian Lake? 3 4 There are people that have lived here 5 for years and years. We're not going to relocate, so 6 we have to use the water. And -- and I know -- and I know that a lot of our people use the area for 7 travelling, also for fishing, and also for hunting for 8 9 muskrat and beaver. 10 Now I -- I'd like to know -- there is a stream, there is creeks in that area. I -- I'd like to 11 know how much water they will use from -- from the 12 streams? 13 14 So these are the questions that -- that 15 I have. I know we have a limited time to -- to ask 16 questions, so my main concern is water pollution. So 17 thanks for giving me the opportunity to talk. 18 19 (INTERPRETATION CONCLUDED) 20 DR. GINGER GIBSON: Masi to the Elder 21 22 Charlie Apples for the presentation. Ginger Gibson, 23 for the Tlicho government. We've shared much of this information with you, so I'm going to -- I'm going to 24 25 travel quickly through the presentation. And the

Elders set the cultural and geographical context for 1 2 us. 3 Currently the -- the current position fo 4 the Tlicho government is that we accept that the 5 constructed wetlands offer great potential for the success -- and -- and have potential for successful use 6 in cold climates, but that there are still big 7 uncertainties. 8 9 We reviewed these uncertainties with the 10 Developer. We -- we laid these out on -- on the day in which we treated water quality. I'll just highlight 11 12 one (1) of them. 13 We've discussed today that there -- the 14 wet -- there's not certainty right now about how much 15 maintenance, for example, would be required by --16 during the op -- the -- the years after the mine closes. And so we're not clear whether there is a 17 18 walkaway solution -- whether there is a walkaway point 19 from this mine. And so at this point we see -- we 20 continue to see uncertainties that provide us enough --21 enough uncertainty that we're looking for a Plan B 22 still. 23 We believe the current use of wetlands 24 has merit and it is supported. But given there is --25 there are uncertainties that we've identified, we think

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1 that there continues to be some risk that wetlands 2 could fail and that perpetual re -- care would be 3 required.

And so we're looking for appropriate and sufficient contingency plans that need to be in place until such a time as the wetlands treatment plan is proven and that we do see that it's functioning appropriately for the -- the long term.

9 The contingency plan needs to be backed 10 up by more than a promise. We -- we need to see the 11 contingency plan be formally developed as closure 12 alternatives and with the corresponding financial 13 assurances.

14 To address the uncertainties associated 15 with the use of wetlands, we are requesting that the 16 report of EA require Fortune to formally include 17 alternative closure options in their -- in their 18 conceptual plan -- in -- in a conceptual closure plan 19 prepared for the site until such a time that the final 20 closure plan is dealt with by the Tlicho government and 21 by the regulators.

The report of vi -- environmental assessment should require financial asser -- surance, such as a security deposit required through a water licence, and cover the alternative closure options

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until such a time that primary closure concept is
 proved feasible.

3 We had a co -- a question from the Land 4 and Wa -- or, the Land and Water Board staff today 5 about the synthetic cover. We have -- we've looked at 6 the clay -- the -- the current cover that's proposed by the Developer. And we'd like to seek an undertaking on 7 this, because we -- we have continued to look at this 8 9 question of how much water gets into the co-disposal 10 facility and then needs to be treated afterwards. 11 12 The Tlicho government is looking for --13 we're not abs -- absolutely clear on what seepage water 14 quality will be. And at this point, we'd like to see, 15 if possible, the -- the way -- to limit as much as 16 possible the water that gets into the co-disposal 17 facility. 18 And so we're looking for an undertaking 19 to look at the costs and benefit analysis to be carried out to determine whether a synthetic cover is a viable 20 21 option as compared with the proposed option that's --

22 that the Company is currently -- has currently put out.
23 On this next question we are
24 recommending also to -- that the waste classification

25 that the Company has proposed, the cutoff that they

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1 proposed for .3 percent of sulfur, they've determined 2 that this -- have suggested that above point three (.3) 3 is benign.

We've asked for the classification of 4 5 waste rock to be reviewed. We understand that it's 6 complex. And we understand that there's -- there's many variables associated with this. But we'd like to 7 see a cutoff that's lower or we'd like to look more 8 9 closely at this question with Fortune so that we can --10 we -- we have -- we would have greater comfort if the 11 cutoff for sulfur was lower so that potentially acid-12 generating materials are not being used on, for example, roads. 13

14 On the co-disposal technology that's 15 being proposed, again -- once again, we recognize this 16 is a unique situation. We rec -- rec -- we recognize 17 that it's a new technology and that it does decrease 18 the footprint. So there's some -- some really good 19 things about it.

But we've also illustrated a number of operational challenges that we consider still to be significant. Thickener performance is one of them; ice lensing is another.

24 We believe that it's important that 25 there be continual monitoring and assessment of a

number of issues. And that's why we have brought 1 2 forward the -- the idea that there be an oversight body established for the early years, at least for the early 3 4 -- early years, of a peer-review mechanism, both for 5 the co-disposal facility but also for wetlands. 6 We've seen this work in other mines. 7 And we provide here an example that I won't go through in depth. But we've seen in other mines this provide 8 9 really good engineering and external oversight 10 experience to mines. And the example we provide here 11 is Island Copper Mine, which had for the life of the 12 mine independent peer review. 13 The waste rock management -- waste rock 14 management is number 7. We've heard the Company today 15 commit to having waste rock management protocol, and so 16 we've asked for this to be a measure. But we -- we 17 understand that there's a commitment on this, and --18 and we're pleased to hear that. 19 On the question of thiosalts monitoring, 20 we also had a discussion on this today. Golder 21 usefully contributed on this question. We still 22 consider it to be an issue, and we've provided a 23 recommendation that monitoring, assessment, and 24 management of thiosalts be included as a part of mine 25 waste management plan that is appro -- reviewed and

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122 approved by the Board, the Mackenzie Valley Land and 1 Water Board, before the start of milling. 2 3 In summary, we've made recommendations 4 for eight (8) measures; and I believe it's really seven 5 (7) measures, because one (1) of our recommendations is 6 an undertaking. And we -- we're hoping that these 7 measures can be addressed in the report of environmental assessment. 8 9 The Elder wants to add on one (1) -- one 10 (1) comment. Masi. 11 12 (INTERPRETED FROM TLICHO INTO ENGLISH) 13 14 ELDER CHARLIE APPLE: Thank you, 15 Chairman. My name is Charlie Apple. I live in 16 Behchoko. I'm concerned about one (1) thing, and I'm 17 going to tell you about it. As -- as I'm sitting here, 18 I'm not only talking for myself; the children. As for 19 myself, my daughters, they all have children. In the 20 future, we're talking for the future generations. 21 As we sit here speaking, as an Elder, we're not talking for ourselves. The future 22 23 generations, the children, when they attend schools and 24 they learn, and when they look at these documents in 25 the future, they're going to think about what their

grandparents and the Elders have spoken about. 1 2 And these Elders had -- living this way, and that's what the youth of the future will be 3 thinking about, and that's -- that's the kind of 4 5 documents they'll be looking at. So I just wanted to let you know on that. Thank you, Mr. Chairman. 6 7 8 (INTERPRETATION CONCLUDED) 9 10 THE CHAIRPERSON: Masi, Charlie Apple. 11 Thank you very much. 12 Ginger Gibson, that was your 13 presentation? 14 15 (BRIEF PAUSE) 16 17 THE CHAIRPERSON: Okay. Before I go to 18 questions, I -- you spoke about an undertaking. Can 19 you just -- I know you read it out, but I just don't --20 back up maybe. Either that -- just so that we're 21 clear. And then I'm going to ask a question about the 22 undertaking to the Developer and if they could respond 23 to that undertaking, just so that we're clear. Thank 24 you. 25

1 (BRIEF PAUSE) 2 3 DR. RICK SCHRYER: Rick Schryer, Fortune Minerals. Fortune Minerals has already 4 5 addressed the issue of the suitability of a cover on 6 the CDF in IR Response TG-14. Ken De Vos with Golder 7 Associated repeated that response this morning. 8 The main issue with this cover, of 9 course, is its need for periodic maintenance and 10 removal, which of course is not a walkaway solution for the CDF. So we'd -- we'd be curious as to what a cost-11 12 benefit analysis would be, since we already know that 13 that's really not an option that we're looking for, in 14 terms of being able to walk away from the site. Thank 15 you. 16 THE CHAIRPERSON: Okay. Thank you for 17 your response in response to the question before 18 regarding the undertaking. 19 I'm going to go to questions now. 20 Again, I just want to remind the people that are going 21 to come up to speak in regards to questions that I'll 22 limit you to three (3). And so I'm going to start from 23 the top now. I'm going to go to Fortune Minerals. Any 24 questions to the Tlicho government on their 25 presentation?

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QUESTION PERIOD: 1 2 DR. RICK SCHRYER: Rick Schryer, 3 Fortune Minerals. No questions, thank you. 4 THE CHAIRPERSON: Thank you. I'm going 5 to go to the Yellowknives Dene First Nation. Any 6 questions for -- to the Tlicho on their presentation? 7 MR. TODD SLACK: Todd Slack, Yellowknives Dene. No questions. 8 9 THE CHAIRPERSON: Thank you. I'm going 10 to go to the North Slave Metis Alliance. Any questions to the Tlicho government on their presentation? 11 12 MR. BILL ENGE: Yes, thank you, Mr. 13 Chairman. What I would like to do, I guess, is -- is 14 just add my support to what the Tlicho representative 15 has -- has said, which is the need for a security 16 deposit to ensure that the cleansing process or passive process doesn't work, there will be something in --17 18 some funding in place to make sure that this -- that 19 there's a remedy in place to fix it. Thank you. 20 I'm THE CHAIRPERSON: Okay, thank you. 21 going to move over to Fisheries and Oceans Canada. Is 22 there any questions to the Tlicho government on their 23 presentation? 24 MS. SARAH OLIVIER: Sarah Olivier with 25 Fisheries and Oceans. No questions, Mr. Chair.

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126 1 THE CHAIRPERSON: Thank you. I'm going to go to the Government of the Northwest Territories. 2 Are there any questions for the Tlicho government on 3 their presentation? 4 5 MR. SHAFIC KHOURI: Shafic, ENR. No 6 questions. Thank you very much. 7 THE CHAIRPERSON: Thank you. I'm going to go to Aboriginal Affairs, AANDC. Any questions? 8 9 MR. ROBERT JENKINS: Thank you, Mr. Chair. It's Robert Jenkins, Aboriginal Affairs. I do 10 have one (1) question. 11 12 One (1) of the important components of 13 the closure planning process is developing, early on, 14 goals, so closure goals and closure objectives; so, in 15 essence, what you are looking at the site to be, or 16 what are you trying to achieve through closure. 17 And I'm just wondering -- I -- I'd 18 appreciate it if the Tlicho government just could talk 19 a little bit about whether or not its had any 20 preliminary thoughts in that regard? Thank you. 21 THE CHAIRPERSON: Thank you. I'm going 22 to go to the Tlicho government. 23 DR. GINGER GIBSON: Masi. Ginger 24 Gibson from the Tlicho government. Clearly, the 25 recommendations on water quality that we made with

127 respect to the qualitative measures are part of it, but 1 I'll turn to Chief Clifford Daniels for some other 2 preliminary thoughts on this question. 3 CHIEF CLIFFORD DANIELS: 4 Masi. Chief 5 Clifford Daniels, Tlicho government. It's very 6 interesting that we're starting to get more and more 7 familiar with this project and the wetlands being 8 discussed. And we have the same scenario and that --9 that we'd wished for this to be a walkaway project once 10 the closure is in place. 11 And -- and in saying that, there's --12 there's other things we've just wanted to think about, 13 like the Elder has said. We're thinking about how are 14 you going to, on the wetlands, have that area put -- I 15 guess, make sure there's no animals getting into the 16 wetlands and that, and -- and the birds. 17 And so, we're -- you know, the plan that 18 we'll be discussing, I guess we're going to really have 19 internal discussions on how we're going to proceed in 20 this, because we're learning as we go. And we really want this -- that we are assured that once this mine is 21 22 closed, that we really don't want to revisit it and 23 that. We want to really be assured that -- this is one 24 (1) of the first mines that we're really dealing with 25 as a government, and we want to really be reassured

that this is an actual closure and we don't have to 1 come back to it. So that's something we are really 2 working for -- towards. Masi. 3 4 THE CHAIRPERSON: Thank you, Chief 5 Daniels, for your response. Okay, we're going to move 6 over to Environment Canada. Is there any questions to the Tlicho government? 7 8 MS. SARAH-LACEY MCMILLAN: Thank you, Mr. Chair. It's Sarah-Lacey McMillan with Environment 9 10 Canada. I have no questions. Thank you. 11 THE CHAIRPERSON: Thank you. Transport 12 Canada? Okay, I'm going to move on to Natural Resources Canada. 13 14 MR. JOHN KING: John King, Natural 15 Resources Canada. No questions, thank you. To the 16 THE CHAIRPERSON: Thank you. 17 Review Board staff, any questions to the Tlicho 18 government on their presentation? 19 MR. BRETT WHELER: Thank you, Mr. 20 Chair. Brett Wheler for the Board. The first question 21 is a -- a follow-up from Wednesday. 22 And on Wednesday we asked about the 23 site-specific water quality objectives and the 24 narrative statements that AANDC had made and that -that you supported. And we asked -- yeah, that if --25

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if these statements could be -- could be met, and then 1 would you consider there to be not a significant effect 2 on water quality? 3 So the -- this question was, was that: 4 5 If those narrative statements which you had put forward 6 were met, then would you consider that to be acceptable with regard to water quality? And you mentioned that 7 there were numerous information gaps that -- that you 8 would like to be filled before, you know, having a 9 10 response. 11 And so I'd like to follow up with: Are 12 these information gaps related to closure? And, if so, 13 can you give an indication of -- of what these 14 information gaps are? 15 THE CHAIRPERSON: Thank you. I'm going to go to Tlicho government. 16 17 18 (BRIEF PAUSE) 19 20 DR. GINGER GIBSON: Masi. Two (2) --21 two (2) comments. First of all, I -- I mentioned 22 earlier that SENES is supporting us and -- and has been 23 -- been providing us guidance on these -- on some of these questions. And so they -- they are going to take 24 25 a look afterwards at the -- the record, given that our

-- our key consultant is not available today, and 1 provide us with some clarity on this. 2 3 But from my knowledge and experience of 4 this, our concerns are seepage water quality; so that's 5 an operational issue. Seepage water quality, we 6 haven't seen the results of humidity cell testing, and so we don't know what is actually going to be coming 7 off of the pile, off of the co-disposal pile. And so 8 we are not clear on -- on that question. 9 10 We've gotten some understanding. Many of the closure gaps are -- are gaps that deal with --11 12 with -- our information gaps are closure gaps, some of 13 which have been clarified by the material that's been 14 presented in the last few days. 15 However, sizing was one of our key 16 issues, and I think we've gotten a bit -- a bit of a 17 better understanding about that. Volume, ability to 18 deal with volume of flow is something we're still 19 looking at, and we'll look at the new material that was 20 presented with respect to that question. 21 Freezing and -- and arctic -- subarctic 22 conditions is another question, an information gap 23 we've been wrestling with. Again, we'll look at the 24 material that's been presented. 25 So, yes, there are remaining

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uncertainties and information gaps which, as 1 information is released, we're trying to grapple with 2 it as quickly as we can. But it's -- it's still coming 3 at us quite quickly, and -- and it takes quite a 4 process to go through that internally and for us to get 5 6 comfort as a team with that information. 7 Does that answer your question? 8 THE CHAIRPERSON: Thank you. I'm going 9 to go to the Review Board staff. 10 MR. BRETT WHELER: Thank you, Mr. Chair. Brett Whe -- Brett Wheler for the Board. 11 12 Just to -- to clarify, I guess, it seems 13 like the information gaps are related mainly to -- to 14 how those narrative statements might be achieved. And 15 my question really is -- is about the narrative statements themselves. 16 17 So however they -- they might be 18 achieved, would achievement of -- of -- and maintenance 19 of those narrative statements about water quality, 20 would those equate to -- to a no significant adverse 21 impact on water quality? 22 So whatever the details or how they 23 might be met, would -- would achieving those 24 statements, as long as they're achieved, would that 25 suffice?

132 1 THE CHAIRPERSON: Thank you. Tlicho 2 government...? 3 4 (BRIEF PAUSE) 5 6 DR. GINGER GIBSON: Thank you. We do 7 support those statements. We've done quite a bit of work on those statements. We spent a full day -- the 8 9 people you see here, many of the Elders in the room, we spent a full day looking at them, so they are -- they 10 11 are considered statements. 12 But we still need to look at the data in order to -- to understand whether those value 13 statements can be met or whether there's main -- con --14 15 continues to be uncertainty. I think that -- I guess I'll leave it there. 16 17 THE CHAIRPERSON: Okay. Thank you. 18 Review Board staff...? 19 MR. BRETT WHELER: Brett Wheler for the 20 Board. Thank you, Mr. Chair. And I'll move on to my 21 next question. The next question is about wetland 22 23 performance. And in your questions about wetland 24 function to the Developer following their presentation 25 on closure, the Developer responded that predicted

water quality in their -- in their August 20th memo 1 provided to the Review Board, the predictions of water 2 quality downstream of the project were -- were provided 3 without considering wetland treatment and -- and with 4 considering wetland treatment. 5 6 And the results as shown in Attachment B of the August 20th letter, they suggest that without 7 the wetlands the Marian River water quality post-8 9 closure would be within the range of background 10 conditions. And this seems to reduce the dependency on 11 -- on the wetlands in order to meet the water quality 12 objectives and the narrative statements we just talked about. 13 14 And so I quess two (2) -- two (2)questions to that. One (1) is: Do you accept the --15 16 the updated water quality predictions that are provided in the August 20th memo? 17 18 And second: Does this apparent lack of 19 need, a lack of reliance on the wetlands, reduce your concern about wetland performance and wetland 20 uncertainty? Thank you. 21 22 THE CHAIRPERSON: Thank you. Tlicho 23 government...? 24 25 (BRIEF PAUSE)

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134 1 DR. GINGER GIBSON: Thanks for your question. That is a -- a question that I'd like to 2 turn to SENES to and not -- not at this very moment, 3 but we'd like to provide our response back to you on 4 5 that question. We would look at the record and provide 6 the -- the statement to SENES and -- and look at the site-specific issue that you've raised and then -- and 7 provide a -- a written response to this if that is --8 9 yeah, because our -- our indiv -- our consultant is not 10 available on this question today. 11 12 (BRIEF PAUSE) 13 14 MR. BRETT WHELER: Brett Wheler, for 15 the Board. Thank you. Do you have an idea when you 16 could have that response? 17 18 (BRIEF PAUSE) 19 20 DR. GINGER GIBSON: Once the transcript 21 is released, we will commit to have the answer two (2) weeks after the day that it's released. 22 23 24 (BRIEF PAUSE) 25

135 1 MR. JOHN DONIHEE: Mr. Chairman, it's 2 John Donihee for the Board. The -- the transcripts will likely be out Monday or Tuesday, I -- I would 3 think. And that's September -- let's see, Tuesday 4 5 would be the 4th. I -- I guess, could -- could we 6 simply ask that you file that at the same time that you file your -- your TK report on the 15th of September, 7 please? 8 9 THE CHAIRPERSON: Thank you. To the 10 Tlicho government. 11 DR. GINGER GIBSON: I'm -- I'm just 12 checking. I'm on Skype right now with SENES' 13 administrative people. Yes, September 15th is okay. 14 15 --- COMMITMENT NO. 2: Tlicho government to answer 16 two (2) questions: 1) Do 17 you accept the updated 18 water quality predictions 19 that are provided in the 20 August 20th memo? 2) Does 21 this apparent lack of need, 22 a lack of reliance on the 23 wetlands, reduce your 24 concern about wetland 25 performance and wetland

136 1 uncertainty? Respond by 2 September 15th, 2012 3 4 THE CHAIRPERSON: Okay. Thank you. 5 Review Board staff...? 6 MR. BRETT WHELER: Thank you, Mr. Chair, one (1) more question. Could you -- there are a 7 couple of questions about -- and one (1) in particular 8 9 from AANDC about the co-disposal facility peer review 10 committee and that concept. 11 I wonder if you can describe the peer 12 review committee or oversight body for the co-disposal 13 facility a bit more, and -- and in particular to -- to 14 help differentiate between the idea of a -- a peer review committee and the regular review and approval 15 16 process for management plans that's undertaken by the Wek'eezhii Land Water Board, basically looking for how 17 18 -- your vision of how this would fit into the 19 regulatory process. Thank you. 20 DR. GINGER GIBSON: Thank you very 21 much. I -- I -- I've listened really closely to what 22 AANDC said, and -- and I thought that Mr. Jenkins 23 actually had a really -- a really good answer to that 24 question. 25 However, my concern is that people are

specifically seconded and it's their job to provide 1 guidance and advice on a question associated with a --2 a peer review committee, rather than it being something 3 that is -- is possible. 4 5 And -- and so the -- the model that we 6 put forward was the idea of Island Copper Mine, which 7 did have an independent peer review, independent scientific advisory committee that advised on -- and 8 9 est -- on the monitoring programs on outlining procedures for sampling and providing analytical --10 11 looking at analytical results and -- and giving 12 guidance. 13 I think that it could, in the first few 14 years of -- in particular of operation, and there could 15 be a contingency with it -- associated with it so that 16 it wasn't necessarily for the life of mine unless it 17 was needed. But for the first few years it's very 18 clear that there's going to be many operational kinks 19 to work out, both with respect to co-disposal and with 20 respect to wetlands. And more mines is better than -- than 21 22 fewer. NRCan itself, when I posed the question to them 23 on Tuesday, NRCan, I believe, sup -- supported the 24 suggestion that independent expertise from NRCan would 25 be something to bring to bear on this question.

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So I think that it would be -- to 1 provide that -- that good, scientific expertise from a 2 broad range of -- of areas of -- of expertise, so both 3 engineering, but also what NRCan could bring to the 4 5 table, what AANDC could bring to the table, the different kinds of -- of expertise that would be needed 6 7 to look at these different technologies would be very helpful to the Developer in ensuring that -- that 8 9 there's good design and -- and problems are caught 10 before they become big issues. Masi. 11 THE CHAIRPERSON: Okay, thank you. I'm 12 going to go back to the Review Board staff. 13 MR. JOHN DONIHEE: Thank you, Mr. 14 John Donihee, for the Review Board. I have Chairman. 15 two (2) questions. 16 The first one, just in relation to this model, I quess, for an independent review or monitoring 17 18 agency that you referred to in your presentation from 19 the Island Copper situation, my understanding is that the -- that's about all the information we have on the 20 21 record about that right at the moment, is just that you 22 -- you've suggested it and that it's out there. 23 So I'm wondering if -- if you have 24 suggested it to the Board, do you have any background 25 information about how it's structured, how it works,

139 what it costs, and information like that, that might 1 give the Board the ability to assess this model in --2 in a critical way? 3 So do -- if you do have that 4 5 information, will you provide it to the Board? And if 6 you don't have it right now, would you undertake to get 7 it and to file it with the Board by the 15th of September? 8 9 THE CHAIRPERSON: Thank you, Mr. 10 Donihee. The Tlicho government...? 11 DR. GINGER GIBSON: Masi cho for that 12 question. Yes, we would provide that information. And 13 -- and we would commit to doing that by September 15th 14 as an undertaking. 15 Tlicho Government will file 16 --- UNDERTAKING NO. 2: 17 background information and 18 materials re: independent 19 monitoring agency for the 20 Island copper mine by 21 September 15, 2012 22 23 THE CHAIRPERSON: Thank you. Further 24 questions of the Review Board staff? 25 MR. JOHN DONIHEE: Thank you, Mr.

140 Chairman. John Donihee again. This is kind of a picky 1 point, but the -- I -- I just want to be real clear. 2 The -- the presentation that you -- you just skimmed 3 through we've had for some time. You filed it in 4 accordance with the Board's request ten (10) days ago 5 6 or so. 7 But -- Friday. The -- the text on the -- on the slides actually says that there are eight (8) 8 9 recommendations, and there are only six (6) that are 10 identified actually as recommendations. So are there 11 two (2) hiding? 12 Or, you know, I guess, could you just 13 straighten it out for us because, I mean, if there is 14 something there that's a recommendation, I guess we'd 15 like to -- to treat it as such on behalf of Tlicho 16 government. 17 Thank you. THE CHAIRPERSON: 18 DR. GINGER GIBSON: Thank you. 19 Recommendations -- Ginger Gibson, Tlicho government. 20 Recommendations 1 and 2 are on one (1) slide, and they 21 include a conceptual closure plan and then the costing 22 for the conceptual po -- closure plan with 23 alternatives. 24 Rec -- recommendation 3 is now an 25 undertaking that I believe the Developer feels has been

sufficiently managed. Recommendation 4 is -- well, now 1 it would be 3, is waste classification. Four (4) is 2 co-disposable -- co-disposal and wetlands peer review. 3 4 Five (5) is waste rock management protocols, which I believe the Developer has committed 5 6 to. Six (6) is thiosalts monitoring. So that's six (6) and -- and one (1) rejected undertaking. Masi. 7 8 THE CHAIRPERSON: Thank you. Don --9 Mr. Donihee...? 10 MR. JOHN DONIHEE: Thank you very much, 11 Mr. Chairman. Those are my questions. Thank you for 12 assisting us. 13 THE CHAIRPERSON: Thank you. Before I 14 go to the Board members, since there are commitments 15 now in regards to undertakings, I think maybe what we 16 could do is we keep track of it. And then I wouldn't 17 mind coming back to it before we conclude today so that 18 we have it on the record so we're clear. Thank you. 19 I'm going to go to my far right. Mr. 20 John Curran, any questions to the Tlicho government on 21 their presentation? 22 MR. JOHN CURRAN: Thank you, Mr. 23 I would like to start by saying masi cho to Chairman. Charlie Apple for his words at the start of the 24 25 presentation and at the end, clearly speaking from the

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heart out of concern for his people. 1 2 One (1) question -- and apologies, no disrespect to the translators. At one (1) point in --3 in the oral presentation it seemed to indicate that the 4 5 Tlicho government believe that arsenic was going to be 6 used to process the minerals at site. 7 And just as a point of clarification, does -- does the Tlicho government understand that's 8 9 not the case and that it is in -- in the ground rock? 10 Thank you. 11 THE CHAIRPERSON: Thank you. 12 DR. GINGER GIBSON: Masi cho. Ginger 13 Gibson. To clarify, we realize that it will not be 14 used. Thank you. 15 THE CHAIRPERSON: Thank you. John 16 Curran...? 17 MR. JOHN CURRAN: Thank you, Mr. 18 Chairman. No other question. Thanks. 19 THE CHAIRPERSON: Okay, thank you. Mr. James Wah-shee...? 20 21 MR. JAMES WAH-SHEE: Thank you, Mr. Chairman. 22 I'd just like to thank the present -- Tlicho 23 government for their presentation. And I have no 24 questions. Thank you. 25 THE CHAIRPERSON: Thank you. I'll qo

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to my left. Danny Bayha, any questions? 1 2 MR. DANNY BAYHA: No questions. Masi (NATIVE LANGUAGE SPOKEN). 3 THE CHAIRPERSON: Mr. Richard Mercredi, 4 5 is there any questions? 6 MR. RICHARD MERCREDI: No questions, 7 thank you. 8 THE CHAIRPERSON: Thank you. Rachel 9 Crapeau, any questions for the Tlicho government on their presentation? 10 11 12 MS. RACHEL CRAPEAU: Masi cho, Charlie. 13 (NATIVE LANGUAGE SPOKEN). 14 (INTERPRETED FROM TLICHO INTO ENGLISH) 15 16 17 MS. RACHEL CRAPEAU: I un -- I 18 understand your concern. I will take your advice to 19 heart, and I will try to follow -- follow your advice, because I know you are really, really passionate about 20 21 -- about that land that you live off. So, therefore, I will use your advice as guidance, and -- and I don't 22 23 have any questions to -- to your statement. 24 25 (INTERPRETATION CONCLUDED)

144 1 MR. PERCY HARDISTY: Masi, Mr. Chair. 2 3 (INTERPRETED FROM TLICHO INTO ENGLISH) 4 5 MR. PERCY HARDISTY: I'd like to -- I'd 6 like to say thank you to -- to the presentation from --7 from Tlicho government, as well as the -- the Elder. 8 Thank you. 9 10 (INTERPRETATION CONCLUDED) 11 12 THE CHAIRPERSON: Thank you very much, 13 Percy Hardisty, and thank you to the Tlicho government 14 on their presentation, in particular to Charlie Apple. 15 Masi for your words and wisdom. Masi. And then we'll take that into consideration as well. 16 17 Because the food's not here yet, we'll 18 continue on, and -- but when the food arrives, it's 19 appropriate that we always try to get our Elders to go 20 up first, and that's the right thing. So once -- once 21 it gets here, then the Elders will go first, and then 22 everybody else. Ask Mr. Wah-shee. He's an Elder. 23 Okay. We're going to go to the -- the 24 Yellowknives Dene First Nation for their brief 25 presentation, and then we'll go on to questions. Thank

you. 1 2 CLOSURE - PRESENTATION BY YKDFN: 3 4 MR. TODD SLACK: Thanks, Mr. Chair. 5 Todd Slack for the Yellowknives Dene. Just as a -- as 6 a point of clarification, the Board had granted me the 7 luxury of doing my air quality with the closure section, but in the interests of time, I've been 8 9 convinced to submit these comments to the registry. 10 And so I'll be putting those with Chuck. And I can say 11 that they mostly echo the position that ENR has taken. 12 So moving on to closure, the 13 Yellowknives -- as we stated on Wednesday, the Yellowknives Dene have been mindful that this is in the 14 15 Tlicho territory and that this is at the heart of their lands. And our involvement with the closure issue has 16 17 been both more detailed than what I'm going to present, 18 but in the end, we've decided to settle on the process, 19 because this could create precedents. And the 20 Yellowknives have a significant amount of experience, 21 having gone through a number of closure planning 22 processes. 23 So I'm going to offer comments that I 24 think would help all parties, and I'm going to talk 25 about three (3) topics: the timeline, the security, and 1 the lack of closure objectives.

The Proponent has recently addressed the closure timeline issue. And the Yellowknives have always believed that those who create liability should be forced to address it, and the Yellowknives support this new position.

7 The previous closure timeline extended 8 across many generations, potentially compromising the 9 definition of sustainability. And that's where 10 development that -- must meet the needs of the future, 11 but without compromising the ability of the future 12 generations to meet their own needs.

13 However, this is a project that may 14 require perpetual treatment, which is a source of 15 special concern, because this company has only a single 16 property. Their ability to raise money will only occur 17 over the next eighteen (18) years. After that, any 18 unforeseen events or unpredicted consequences would be 19 the -- the -- would require government support, pardon 20 me.

21 With this in mind, and recognizing that 22 the security will be set by the Mackenzie Valley Land 23 and Water Board, the Review Board still considers 24 issues of sig -- significance and is the primary review 25 mechanism. They decide how best to mitigate potential

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issues of concern. And the Yellowknives have a hundred 1 contaminated sites in their territory, including Giant 2 Mine, which we all know is a significant environmental 3 disaster. 4 5 So with this in mind, I can say 6 conclusively that potential unfill -- unfolfund -unfunded, pardon me, liabilities on the landscape, such 7 as the need for perpetual care, are a source of 8 9 particular concern.

10 During the technical session, AANDC 11 stated that in the past they have not recommended the 12 security be set to 100 percent because of a number of 13 reasons. During the same technical sessions, Mr. 14 Schryer admitted that Fortune Minerals may not be 15 around at the time of final closure. Now, I'm 16 acknowledging that was a hundred and twenty (120) years in the future, and we're talking a bit -- a bit of a 17 18 different scenario now; but still, the Company may not 19 be here.

Now, as a company with a single property, there won't be any additional monies coming after operation cease. So each year that goes by creates an economic push for the Company to walk away from that liability unless there's significant disadvantage.

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Now, in -- and in the Yellowknives' 1 view, it's likely, or at least potential is there, that 2 this reclamation will be undertaken by the government. 3 Now, at this point it's difficult to 4 5 know if recent security deposits set by the Land and 6 Water Boards include adequate funds for the Crown to 7 implement the -- the planning, the licensing, project management, and contracting required for a successful 8 9 closure. 10 INAC uses a tool called the reclaim 11 model, but this has never demonstrated that it is an 12 adequate tool to properly predict costs. No one is 13 arguing that were the Company to default on its 14 liability, that there would be some money available; 15 the issue is the adequacy of those monies, especially considering the uncertainties. 16 17 YKDFN are concerned that the available 18 funding would be a constraint on the success or the 19 failure of a potential closure, and we believe that the 20 remediation objectives by which a successful closure 21 will be evaluated should be driven by only the end uses 22 of the area. 23 As part of the questioning, Mr. Jenkins 24 with AANDC stated that he wasn't familiar with a case 25 in which a security deposit had been used, and this is

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1 something that we had asked the Company -- during the 2 technical sessions we had asked the Company and AANDC 3 about.

In further researching this matter, we -4 5 - we came across a single instance in which a company 6 had defaulted and a security deposit existed. As it often seems, unfortunately this was here in the NWT, 7 and unfortunately it was here in the Tlicho area, where 8 9 Colomac had a security deposit of \$1.5 million. Just 10 to put this in perspective, the clean-up costs of that project have exceeded 85 million. 11

We acknowledge that this security was set a number of years ago and things have changed, but at this point there's no guarantee that the system is effective. There are no examples where the security deposit has shown to work.

17 Moving on to the lack of closure 18 objectives. Yellowknives Dene have consistently 19 expressed a concern with the lack of a thorough, modern, and effectively organized closure plan. 20 The 21 real impacts of mineral exploration can only be considered in light of the end picture, what the 22 23 Company intends to do once production is finished. 24 At this point, the end land use and 25 objectives are unclear and have been unilaterally

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defined. While recognizing the Company commitments during the environmental assessment stages, YKDFN have consistently sought clarity on these matters, to little satisfaction. It seems that the Company doesn't intend to address or resolve these matters until some unknown point in the future.

7 Coming back to the central tenet of the
8 -- the Yellowknives' position, and that's learning from
9 experience.

10 Our history with the mineral exploration 11 regime has been that the lack of a committed vision 12 shows that the closure objectives and closure goals 13 will never be truly collaboratively developed after the 14 fact. The company drives the agenda during the Land and Water Board phase, and this is based on imprecise 15 16 language that was made during the environmental 17 assessment.

18 This experience shows us that the lack 19 of precision in objectives can result in significant 20 differences in interpretation as the development 21 proceeds towards closure.

Just as an example, the -- the Fortune presentation used the word -- sorry, and I'm not going to get it exactly right. They talked about safe for wildlife. Well, I -- I think, in a fair assessment,

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that the Company's vision of safe for wildlife is 1 probably different than the Tlicho government or the 2 Yellowknives Dene. 3 4 These type of differences, expanded 5 across the whole closure scheme, make it very difficult 6 to unila -- or, to collaboratively agree on these 7 things after the fact. So the Yellowknives Dene recommend that 8 9 the Review Board include a measure related to closure, 10 requiring the Company to collaboratively develop closure goals, site components, and clear clos --11 12 closure objectives, as defined in the draft Land and 13 Water Board Guidelines, prior to the issuance of any additional determinations. 14 15 Secondly, we suggest that the -- the 16 Review Board make it plain to the Land and Water Board 17 that anything less than the maximum environmental 18 security bonding would represent a significant concern. 19 And, just as a -- one (1) last point, a 20 question that Mr. Donihee asked for additional 21 information on independent oversight; while different 22 than the Island Copper example, there are any number of 23 -- I think five (5) to ten (10) submissions on the Giant registry that provide for best practices, showing 24

25 what's effective, using real-world examples, both here

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in the North and across the NW -- or, across North 1 America, on effective independent oversight and the 2 values that it provides. 3 I'm only bringing this up as a -- as a 4 5 reference that the Board could possibly use. And, with 6 that, I'll close my presentation. Thank you very much, Mr. Chair. 7 8 THE CHAIRPERSON: Okay. Thank you. 9 You stayed two (2) minutes shy from your presentation. 10 That's good. Because we don't have a copy of your presentation in text format, so if you could present us 11 12 with a copy of that so we could put that on the 13 registry. 14 MR. TODD SLACK: Of course. 15 16 QUESTION PERIOD: 17 THE CHAIRPERSON: Okay. Thank you. 18 Again, I'm going to go to the questions, and again, I'm 19 going to limit the questions to three (3). So I'm 20 going to go to -- from the bottom of the list now, I'm 21 going to go to Natural Resources Canada, if there's any 22 questions for the Yellowknives Dene First Nation. 23 MR. JOHN KING: John King, Natural 24 Resources Canada. No questions, thank you. 25 THE CHAIRPERSON: Transport Canada...?

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Nobody here. Environment Canada...? 1 2 MS. SARAH-LACEY MCMILLAN: Sarah-Lacey McMillan will Environment Canada. No questions, thank 3 4 you. 5 THE CHAIRPERSON: Aboriginal Affairs 6 and Northern Development Canada, AANDC...? 7 MR. ROBERT JENKINS: Thank you, Mr. Chair. It's Robert Jenkins. I just had the same 8 9 question I asked the Tlicho government. 10 Mr. Slack, could you -- do you have any preliminary thoughts on closure goals, closure 11 12 objectives, any thoughts that the -- the Yellowknives 13 may have for this site? Thank you. 14 THE CHAIRPERSON: Thank you. I'm going 15 to the Yellowknives Dene First Nation. 16 MR. TODD SLACK: Thanks, Mr. Jenkins. The Yellowknives, in the end, are -- have taken the 17 18 position that we're interested in this from a process 19 and precedent matter, and the objectives and the definition of that should come from the Tlicho 20 21 government. This is their land, and they will be the 22 primary users when the -- the Company finishes. And we 23 would encourage that process to -- to move forward. 24 THE CHAIRPERSON: Thank you. Any 25 further questions from AANDC? They said -- they waved

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154 and they said, "How," (sic) so they said "no." Okay. 1 2 Thank you. 3 I'm going to go to the Government of the Northwest Territories. 4 5 MR. SHAFIC KHOURI: Thank you for the 6 presentation. Shafic, Government of the Northwest Territories. No questions. 7 8 THE CHAIRPERSON: Thank you. Fisheries 9 and Oceans Canada...? 10 MS. SARAH OLIVIER: Sarah Olivier, 11 Fisheries and Oceans. No questions. 12 THE CHAIRPERSON: Thank you. Going to 13 go to the North Slave Metis Alliance. 14 MR. BILL ENGE: Thank you, Mr. Chairman. 15 Bill Enge from the North Slave Metis Alliance. I just 16 want to ask for clarification. 17 Is the representative for the 18 Yellowknife Dene First Nation recommending to the Board 19 that a security deposit be required by the Proponent, 20 just like the Tlicho government and the North Slave Metis Alliance wish to see done, to ensure that the 21 22 environment is protected, should the wetlands 23 experiment not work? Thank you. 24 THE CHAIRPERSON: Thank you. I'm going 25 to qo YKDFN.

MR. TODD SLACK: Thanks, Mr. Chair. 1 Yes. That's the heart of that -- that line of thought. 2 And the security deposit should reco -- recognize the 3 worst-case scenario, which I believe in this case would 4 be perpetual treatment. I -- everyone hopes that's not 5 going to be the case, but we have hundreds of examples 6 across the territory in which the worst case has ended 7 up happening. So that's what we should plan for. 8 THE CHAIRPERSON: Thank you. North 9 Slave Metis Alliance...? 10 11 MR. BILL ENGE: Thank you, Mr. 12 Chairman. That's all the questions that I have for the 13 presenter. 14 THE CHAIRPERSON: Thank you. I'm qoing 15 to the Tlicho government. Any questions to the Yellowknives Dene First Nation? 16 17 DR. GINGER GIBSON: Masi. Ginger 18 Gibson, Tlicho government. There are no questions. 19 THE CHAIRPERSON: Thank you. I'm going 20 to go to Fortune Minerals. 21 DR. RICK SCHRYER: Rick Schryer, 22 Fortune Minerals. No questions. 23 THE CHAIRPERSON: Thank you. I'm going 24 to go to the Review Board staff. 25 MR. JOHN DONIHEE: Just one (1) point,

Mr. Chairman. It's John Donihee for the Board. 1 Mr. Slack referred to a -- a document which is on the Board 2 registry, but for a different -- a different project. 3 And so given that we've asked, you know, for some 4 5 additional information on these independent monitoring 6 agency arrangements and got an undertaking from Tlicho government, I'm just going to ask I guess if any of the 7 parties have an objection if we just file a copy of the 8 9 -- the document that's been filed in the -- in the Giant matter on the registry for the -- the Nico EA. 10 11 I mean, the other way to get it is to 12 ask Mr. Slack to give me an undertaking to file it, but 13 it doesn't seem to make much sense to go that way. 14 So does -- does anybody -- does anybody 15 have a problem if the -- if the Board just refiles that on the -- on this -- on this record? 16 17 THE CHAIRPERSON: Thank you. I'm goi -18 - so then -- sorry, Mr. Donihee, that question goes to 19 all parties? 20 MR. JOHN DONIHEE: Thank you. John 21 Donihee. Mr. Chairman, I'm assuming silence is 22 consent, and we'll just go ahead and do it. I have no 23 other questions. 24 THE CHAIRPERSON: Thank you. I think 25 you're the next Chairman. Thank you. We get

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157 consensus. I don't see nobody opposing, so thank you. 1 Okay. I'm going to go on to the Review Board staff to 2 my far left. Percy Hardisty...? 3 MR. PERCY HARDISTY: Mr. Chair, I'm the 4 5 Review Board member. No questions. THE CHAIRPERSON: Thank you. Rachel 6 7 Crapeau...? 8 MS. RACHEL CRAPEAU: Thank you, Todd, 9 for your presentation. No questions. Thank you. 10 THE CHAIRPERSON: Sorry, Board member 11 Danny Bayha...? MR. DANNY BAYHA: Thank you, Todd, for 12 that presentation. No questions. Thank you. 13 14 THE CHAIRPERSON: Thank you. Richard 15 Mercredi, Board member...? 16 MR. RICHARD MERCREDI: Thank you, Mr. 17 Chair. No questions. 18 THE CHAIRPERSON: Thank you. James 19 Wah-shee, Board member...? 20 MR. JAMES WAH-SHEE: Mr. Chair, I have 21 no questions. Thank you. 22 THE CHAIRPERSON: Thank you. John 23 Curran, Board member...? 24 MR. JOHN CURRAN: Thank you for the 25 presentation. Thank you, Mr. Chairman. Thank you for

158 the presentation, Todd. No questions at this time. 1 2 THE CHAIRPERSON: Okay. Thank you. Ι want to thank the Yellowknives Dene First Nation for 3 their presentation. 4 5 I don't know if there's any food back 6 there. Nothing yet? Did we eat, actually, our dinner already? Earlier? 7 8 Mr. Mercredi, I'll -- can you -- what's 9 up with my food? 10 (BRIEF PAUSE) 11 12 THE CHAIRPERSON: It's on -- it's on 13 its way. Okay. I'm just craving for caribou. We'll -14 - we'll keep going until the food gets here. As soon 15 as it gets here, we'll break. 16 So the next part of today's agenda is the socioeconomic presentation made by Fortune 17 18 Minerals. Originally, you -- you got 'Q' and 'A', and 19 you've got forty-five (45) minutes. That's including 20 'Q' and 'A' and I'm going to see -- I'm going to ask 21 you if we could shorten your presentation if we have 22 to. 23 Also, the Tlicho government, I think you 24 -- you guys put in for fifty (50) minutes. If we could 25 try to help shorten that and then -- so that we could

159 1 get through it. And the Government of Northwest 2 Territories, you've got forty (40) minutes, I believe, 3 4 so we're going to ask you the same thing as well. 5 Okay. And so we'll go into the 6 presentation. 7 8 (BRIEF PAUSE) 9 10 THE CHAIRPERSON: Okay. Mr. -- who's 11 doing your presentation, Fortune Minerals? 12 DR. RICK SCHRYER: Rick Schryer, 13 Fortune Minerals. Thank you, Mr. Chairman. We will 14 proceed with our presentation on socioeconomics, which 15 will be given by Pat Moloney, Manager of Human 16 Resources, and Mr. Bill Shepard, Supply Chain 17 Management. Thank you. 18 19 SOCIOECONOMIC - PRESENTATION BY FORTUNE MINERALS: 20 MR. PAT MOLONEY: Pat Moloney, Fortune Minerals. Just to start off, this is with regards to 21 the socioeconomic, and we are focussing this 22 23 presentation on the economics, employment wages, 24 training, contracting, in-migration of people, health, 25 and wellness.

1 (BRIEF PAUSE) 2 3 MR. PAT MOLONEY: As we said in Whati, there's obviously positive and negative impacts to the 4 5 project. Some of the negative ones: the reduced time in the home and community based on the fact that the 6 person will be working outside of the -- of the home 7 community; more traffic on the roads, so there's an 8 9 increased risk to public safety; along with the 10 opportunity of having the mine operate for nineteen 11 (19) or twenty (20) years is obviously -- at the end of 12 that, there's a downside when there's fewer jobs and 13 fewer opportunities. 14 The positives: an increased tax base and 15 gross domestic product and earnings for people, 16 increased employment and procurement levels, increased 17 opportunities for education and training, more money in 18 people's pockets, and an increased skills and capacity for the communities. 19 20 From a pro -- project revenues 21 assessment, we do see that the project will have a 22 positive impact on both the territorial, the business 23 revenues, and personal incomes. At the individual 24 level, there's obviously going to be increased money 25 for people over the life of the mine through

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construction and in operations and then in closure. 1 2 There will be direct payments to the Tlicho communities that'll add to the local economy, 3 and more consumer spending will also drive more 4 5 business opportunities. There's going to be lots of 6 business opportunities to come out of the project itself, which will then obviously spin off into more 7 indirect employment and induced employment. 8 9 And at the government level, the project will contribute to territorial GDP, taxes, and 10 royalties. And some of the things that we've measured 11 12 out that just from a royalties we see over the life of 13 mine of about approximately \$10 million being paid out 14 to the Tlicho government. 15 There's the opportunity for negotiations 16 through the IBA process and the opportunity for 17 negotiation through the the access agreement process. 18 19 (BRIEF PAUSE) 20 21 MR. PAT MOLONEY: With regards to the Northwest Territories and -- and Canada benefits, we're 22 23 anticipating that, over the life of the mine, through wages and benefits, that there will be approximately 24 25 \$343 million paid out; for goods and services,

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1 approximately \$1.4 billion. When you put the two (2) 2 together, as a total direct GDP, we're anticipating it 3 to be about 1.8 billion, which then leads to revenues 4 for the government at the territorial level of 5 approximately 156 million, and at the federal level, 6 363 million.

7 With regards to jobs during the construction and operations, during the construction 8 9 phase, approximately three hundred (300) jobs. With 10 the underground in operation during the first two (2) 11 years of the mine, it's -- we're seeing it peaking at 12 about two hundred and sixty-nine (269) jobs. Then, 13 once the contracted underground is done, we see the 14 operation peaking at about a hundred and eighty-eight 15 (188) jobs.

And one (1) of the things that we're aware of, I think most of us are aware of, is that the mining industry does pay well, so we're talking about, you know, a hundred and eighty (180) jobs for a long period of time at a very significant wage.

One (1) of the things that Robin Goad mentioned in his speech was that he had promised that, during the exploration phase and getting the mine off the ground, that -- that the Tlicho people would -swould benefit from it. And we just went back and

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1 tracked, over the last four (4) or five (5) years, with 2 regards to the opportunities we had in our -- at our 3 camp. And of the employment opportunities we had, we 4 were filling those job opportunities at a rate of about 5 75 percent.

6 And during that same period, in the 7 wages that we put into the communities was about four hundred and sixty-seven thousand dollars (\$467,000). 8 9 And when we needed extra labour because of emergency 10 situations, we turned to the Tlicho Investment Corp, 11 the Tlicho Logistics, and, in addition, we spent 12 another three hundred and eighty-two thousand dollars 13 (\$382,000) with Tlicho Air getting people to and from 14 the site.

15 With regards to employment and training 16 and mitigation, some things that we're proposing to do 17 to make it easier for people to get work at the site: 18 providing transportation from home communities to the 19 actual work site itself; providing extra training for 20 supervisors and those pro -- promoted during the Nico 21 Project life; additional training for entry-level 22 positions and new workforce entrants; apprenticeship 23 opportunities; reviewing candidates with -- with 24 previous criminal crime -- sorry, with previous 25 criminal records on a case-by-case basis; considering

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164 equivalent skills and qualifications in recruiting and 1 hiring; allowing and encouraging people to speak their 2 own language; and working with the Mine Training 3 Society to consider development of appropriate training 4 5 programs. 6 MR. BILL SHEPARD: My name's Bill 7 Shepard. I'm responsible for the supply chain management efforts of Fortune Minerals and basically 8 9 growing the Company and growing the Company's business 10 efforts. 11 One (1) of the approaches we took here, 12 by looking at our supply chain and our supply chain efforts, is to look at our behaviours and what we're 13 doing currently already with Fortune's business in the 14 15 area. 16 We have over ten (10) plus years of experience in the exploration phase, and we looked at 17 18 how are we currently doing our business with the 19 Northern suppliers, Tlicho suppliers, and other businesses within the area. 20 21 We're proud to say that, through our 22 current behaviours, Fortune Minerals, over the past 23 decade or so, we've created a supply base for Fortune 24 Minerals that's over a hundred and fifteen (115) 25 suppliers, and over ninety-nine (99) being from the

North specifically. So Fortune makes great efforts to 1 making sure that we conduct business in the North, and 2 seventeen (17) of which those ninety-nine (99) 3 suppliers are First Nation or Aboriginal suppliers. 4 5 So we look to ways that we can look at 6 opportunities to increase northern suppliers, and 7 hopefully continue to mitigate efforts to help our procurement needs and increasing procurement levels. 8 9 What we've done here with Fortune, we've 10 looked at ways that we can source businesses and making 11 sure that they have the capacities in place to perform 12 the opt -- the things we need to have done, and supply 13 the goods and materials that Fortune will need to be 14 successful here in Tlicho territory. We put many 15 efforts in place to work with the local businesses, 16 especially the Tlicho Investment Corporation, to make sure we can identify needs and opportunities for 17 18 businesses as a whole, or sole proprietorship, to make 19 sure that they are successful. We're looking at not 20 only Tlicho businesses, but also northern Aboriginal businesses and companies, northern businesses in 21 22 general, and companies at large. 23 If we find we can't find an Aboriginal 24 company, or northern company, to promote the business 25 we need, if there's a specific or speciality item that

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needs to be purchased, we will only deal with companies 1 that have policies and procedures in place to help 2 build capacity within communities we do business with. 3 4 To help with this opportunity, Fortune has placed an 5 office here in Yellowknife that I currently myself work 6 in from time to time when I'm in the Yellowknife area to help facilitate these needs, to conduct workshops, 7 interviews with local suppliers, to make sure we can 8 9 bring people on board into the Fortune database to make 10 sure we can give businesses the -- the correct, and fair, and impartial opportunity to provide services to 11 12 Fortune Minerals.

We're often asked about future 13 14 opportunities, and we look at where the mine is going 15 and what opportunities will be available. This model 16 is basically forecasting where Fortune may need future services and goods. Some of the key areas we've talked 17 18 about to some of our different business partners here 19 in the area, we will clearly need to have businesses to 20 provide food services, trucking, labour and machine 21 operations, waste management, transportation, 22 communications, and reclamation, and many more. 23 We've identified these opportunities, 24 and what Fortune is currently doing now is looking for 25 those business partners, such as the ones we currently

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1 do business with here in the area, Tli Cho Landtran,
2 Tlicho Air, Domco, and many other businesses in the
3 area we currently do business with, if we can expand
4 their capacities, build more, or bring more local
5 businesses on board is the efforts that Fortune
6 Minerals is currently doing.

7 To do this we've been directed to work 8 directly with the Tlicho business -- or Investment 9 Corporation, and we have done so. And we have a strong 10 relationship at all levels of the Tlicho Investment 11 Corporation, from the folks who provide the services 12 for us to the directing bodies and president.

13 We've done so, and we've had great 14 success in identifying these opportunities, and we'll 15 continue to identify many more to keep business here in 16 the North. We also have a responsibility to build capacity in the communities. And to help build that 17 18 strength we've engaged opportunities with the Canadian 19 Council for Aboriginal Business to help us strength our 20 business policies and procedures, but also to help us 21 develop policies and procedures so businesses that work 22 with Fortune Minerals have all the proper things in 23 place to be good corporate citizens, and help build 24 capacity in the community. 25 So in closing what I want to leave here

with you as far as that Fortune Minerals is making 1 efforts to do the proper thing by first of all 2 identifying what we're going to purchase in the 3 northern area as called out in IR response number 9, so 4 5 we can clearly communicate what our spend will be in 6 construction, operation, and closure. Fortune 7 Minerals' supply team management policies have been developed specifically to not only support Tlicho 8 9 employment but also other northern Aboriginal companies, whether it be northern -- or whether it be 10 11 Aboriginal or non-Aboriginal but northern business as a 12 whole. Our policies have been put in place 13 specifically to facilitate that.

14 Fortune's procurement strategy is also 15 designed to deal directly with the Tlicho business arm 16 in a participative process; so working hand in hand as 17 a partnership, to make sure that we're addressing all 18 needs and identifying every opportunity we can to keep 19 business in the north. With that partnership, we've 20 specifically called out in definitions in our internal 21 policy that Fortune Minerals -- Minerals set aside 22 contracts which especially allows us to break up 23 contracts. So if we identify businesses that don't have all of the capacities to perform what we need, we 24 25 can break up those contracts throughout several

businesses to still meet Fortune's needs, but also to 1 make sure the business stays with the northern 2 community and to northern businesses, even sole 3 4 proprietorships. 5 In consultation, a cooperative 6 relationship, as an example, with the president of TIC, 7 we've even adopted policies and terms in our -- our contracting abilities, such as Evergreen (phonetic) or 8 9 life-of-mine contracts. So Fortune Minerals is moving 10 forward. These are the type of contracts we're looking 11 forward to move and offer to the local northern 12 community and the Tlicho people. 13 Through Fortune's direct effort to 14 policy we're focussing on engaging Tlicho businesses in 15 the North. And as I mentioned before, with the 16 engagement of the Canadian Council of Aboriginal 17 Business, we're going to provide the expertise for 18 Tlicho businesses and northern businesses to remain 19 competitive by offering them the skill sets and ability 20 to remain competitive in this environment in this 21 market. 22 Secondly, we're using groups such as the 23 CCAB to make sure they help us develop our own internal policies, so if we're dealing with companies across the 24 25 North, that they also have positive Aboriginal

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relationships as well to make sure we promote 1 businesses and promote businesses for an Aboriginal 2 hiring policies and in those non-Aboriginal businesses. 3 So we think moving forward we have all 4 5 the things in place to be suc -- very successful and to 6 be a good corporate citizen with this project. Thank 7 you. 8 MR. PAT MOLONEY: One (1) of the issues 9 that were look -- sorry, it's Pat Moloney, with Fortune Minerals. One (1) of the other issues that we were 10 11 looking at was with regards to immigration and -- and 12 managing that. 13 One (1) of the things that we looked at 14 to reduce the negative impact of -- of people coming 15 into the Tlicho communities, either looking for work or 16 potentially moving to make themselves closer to the 17 work site, was that we would be offering pickup points 18 for the Tlicho communities and at Yellowknife, so that 19 people were not having to -- to move to get closer to 20 work. The mine camp itself will have all the necessary 21 facilities to sustain the workforce. So people will be 22 spending the time in the -- in the camp with everything 23 that they need. 24 We've also proposed to conduct an 25 inmigration (sic) risk analysis, and that would include

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conducting a thorough literature review, holding 1 community meetings and interviews, and then using those 2 results to refine the immigration strategy. 3 Our conclusion is that there will be 4 5 positive socioeconomic benefits from the pro -- from 6 the project and limited negative socioeconomic impacts from the project. Masi. 7 8 THE CHAIRPERSON: Thank you for your 9 presentation. 10 It's -- we're going to stop here for 11 lunch, and we'll come back in thirty (30) minutes. And 12 we'll continue on with the questions now. 13 But before we do that, I want to ask the 14 Elders to go up first to eat, and then everybody else 15 thereafter. 16 17 --- Upon recessing at 1:08 p.m. 18 --- Upon resuming at 1:35 p.m. 19 20 QUESTION PERIOD: Okay, we're going to 21 THE CHAIRPERSON: start. I think I've got everybody here that needs to 22 23 be here. Okay, we can start and call the meeting back 24 to order. It's now 1:35 and we had Fortune Minerals do 25 their presentation on Nico project access -- I'm sorry,

hang on. Sorry, I'm on the wrong paper. Where did I 1 2 put it here? 3 Okay, we're going to go into questions. Okay, we're going to go into questions for the 4 5 socioeconomic portion of this public hearing from 6 Fortune Minerals, and they've done their presentation. So just for the record, the list of questions, again, 7 we will limit three (3). I've already mentioned that a 8 little bit earlier. 9 10 And none of the Government of Canada will be doing -- asking questions, so the list is now 11 12 shortened. So I want to go to the Tlicho, but they're 13 not here yet. I'll move on to the Yellowknives Dene 14 First Nation. 15 Is there any questions for Fortune Minerals on their presentation on the socioeconomic? 16 17 MR. TODD SLACK: Sorry. Thanks, Mr. 18 Chair. Todd Slack, YKDFN. We have no questions. 19 THE CHAIRPERSON: Okay, going to go to 20 the North Slave Metis Alliance. Thank you, no 21 questions. 22 I'm going to continue on and I'm going 23 to go to Review Board staff. Any questions ...? 24 MR. JOHN DONIHEE: Mr. -- John Donihee, 25 for the Board, Mr. Chairman. There are no questions

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from Board staff. 1 THE CHAIRPERSON: Thank you. 2 To my far left, Percy Hardisty, any questions for ...? 3 4 MR. PERCY HARDISTY: No questions, Mr. 5 Chair. THE CHAIRPERSON: Thank you. Rachel 6 7 Crapeau...? 8 MS. RACHEL CRAPEAU: No questions, Mr. 9 Chair. 10 THE CHAIRPERSON: Can you speak louder? 11 My ear is full of wax. 12 MS. RACHEL CRAPEAU: No quest -- no 13 questions, Mr. Chair. 14 THE CHAIRPERSON: Thank you. I've got 15 to clean out my ears. Danny Bayha, Board member...? 16 MR. DANNY BAYHA: I just had one (1) 17 guestion from me, Mr. Chair. 18 THE CHAIRPERSON: Thank you. Percy --19 sorry, Richard Mercredi? 20 MR. RICHARD MERCREDI: No questions. 21 Thank you, Mr. Chair. 22 THE CHAIRPERSON: Okay. Danny 23 Bayha...? 24 MR. DANNY BAYHA: Yes, thank you, Mr. 25 Chair. I just had a question. In your presentation

you had a little bit on training and that sort of 1 2 thing. 3 And if you could maybe give us a bit on how you -- you would actually train your own folks --4 5 employees on site or you would be helping in training 6 or having potential employees, you know, to upgrade for 7 example. Because sometimes we have -- folks just coming out of high school may not have -- be able to 8 9 meet some of the -- the standards out there to -- to be 10 employable. 11 So I'm just wondering if you had any 12 comments on that sort of thing. Thank you. We'll qo 13 THE CHAIRPERSON: Thank you. 14 to Fortune Minerals. 15 MR. PAT MOLONEY: Pat Moloney, Fortune 16 Minerals. With regards to the training there's --17 there's probably two (2) aspects to it. 18 The first one is -- is actually prior to 19 ramping up the operation and that's when we take a look at who is -- who's available in the -- in the 20 communities and what shortfalls we have. 21 22 So if we look at -- we need to have 23 twenty (20) people who can drive a truck and need air 24 brake licences and there's only ten (10), we know that 25 we need to do training to bring those other ten (10)

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1 people up to that skill. So -- so part of that process 2 is finding out what's available in the communities and 3 identifying where there are gaps.

And I -- I've already done a lot of work with the Mine Training Society at Aurora College. And -- and the great thing about the Mine Training Society is they actually come in to the communities and do the training which is the best thing you can do. So that -- that process is already begun with regards to working with the Mine Training Society.

11 The other part of it is working with 12 individuals when they're already in the workforce and 13 helping them get to the next level. And the most 14 important thing a company can do is -- is train its 15 people. So part of our -- of our mine structure would 16 involve having a -- a full-time trainer. And -- and 17 that -- that role is about, you know, helping people 18 get to the next level. And sometimes that's through a 19 formal process like an apprenticeship, sometimes it's through actually job shadowing, allowing people to go 20 21 from one (1) department to another so they learn 22 different skills.

The other way to help people upgrade is -- is actually, you know, give them the tools that are -- that are online. A lot of educational processes to

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176 get yourself moving from one (1) level to another is --1 is online. It's amazing, you don't need to go and sit 2 in a classroom anymore. You can -- you actually get a 3 chance to do it at your own speed and do it when it 4 5 fits into your schedule. 6 So there's -- there's different ways, but there's certainly two (2) different aspects to the 7 -- the training process. 8 9 THE CHAIRPERSON: Thank you. Mr. 10 Bayha...? 11 MR. DANNY BAYHA: And one (1) final 12 question, if I may. In your -- in your -- I imagine 13 you would have in your mind certain folks that will be helped if there's issues of training or counselling or 14 15 some kind of short courses that you can offer some --16 for your employees during their time off in -- inside, you know, camp. Like some of the mines they seem to be 17 18 doing that -- like, life skills type of courses. 19 Was that something that has been 20 entertained or thought about? That might be something 21 unique for this set -- setting. Thank you. 22 THE CHAIRPERSON: Thank you, Mr. 23 Bayha. Fortune Minerals. 24 MR. PAT MOLONEY: When -- when we start 25 designing train -- sorry, Pat Moloney, Fortune

Minerals. I saw that look. 1 2 When we get into designing the training programs, there's -- the online is probably the most 3 cost effective manner of doing it. So the programs 4 5 that you're talking about are -- are exactly the kind 6 of programs that you would want to implement because 7 they're the most cost effective. So, yes, we would. 8 THE CHAIRPERSON: Thank you. Board 9 Member, Danny Bayha...? 10 MR. DANNY BAYHA: Thank you. I had no 11 more questions. 12 THE CHAIRPERSON: Thank you. Board Member, Richard Mercredi...? 13 14 MR. RICHARD MERCREDI: No more question 15 -- no questions, thanks. 16 THE CHAIRPERSON: Thank you. Board Member, James Wah-shee...? 17 18 MR. JAMES WAH-SHEE: Thank you, Mr. 19 Chair. I -- I do have one (1) question. Given the 20 experience and history related to Diavik, BHP, and De 21 Beers, they -- they had similar policies regarding 22 socioeconomic benefits to the aboriginal people. So 23 this is not something new. 24 However, the -- in your presentation, it 25 -- it's very clear that opportunities for socioeconomic

1 opportunities are -- and I may -- may be wrong and I 2 stand to be corrected, however, it appears to me that 3 most of the businesses' opportunities in terms of 4 contracts and providing services would go through the 5 Tlicho Investment Corporation which would mean that you 6 would go to through a bottleneck.

7 And -- and then doing so your contracts and business opportunities would be confined to a 8 9 regional corporation, also confined to the Tlicho 10 community corporations. And as you know, the -- if 11 that was the case then there is no mention whatsoever 12 in your presentation and regards to opportunities or --13 or even in your policy that you have explained does not 14 mention anywhere where you will entertain or include in 15 your policies regarding Tlicho individual-owned 16 businesses, or for that matter Tlicho family-owned 17 businesses.

18 It's been my experience in regards to 19 the other three (3) operating businesses that most of this has been confined to community and regional 20 21 corporations. And as, you know, small businesses, 22 particularly in the four (4) communities -- I'm making 23 reference to Behchoko, Whati, Gameti, Wekweeti -- small 24 individually-owned small businesses do not have the 25 necessary resources nor can they compete with community

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owned corporations and regional corporations. 1 2 In other parts of Canada individuallyowned businesses are given opportunities, but I have 3 not heard that your socioeconomic policies related to 4 5 services and businesses does not and -- state that it 6 will include Tlicho individually-owned businesses. And what I would like to see is that -- I would like to 7 that stated in your policy very clearly, so that there 8 9 is no misconception in regards to these businesses confined to only the Tlicho investment corporations and 10 11 the Tlicho regional corporations. 12 So that is my question. Thank you. 13 THE CHAIRPERSON: Thank you. I'll go 14 to Fortune Minerals. 15 MR. BILL SHEPARD: Bill Shepard, 16 Fortune Minerals Supply Chain Management. I'm actually 17 very glad you ans -- asked that question, because it 18 does lead us into what we have been doing already and 19 what our policies in place are currently already. When 20 we look to develop policies and procedures we look to 21 work in a collaborative measures, and I'm proud to say 22 that our collaborative measures initially were looking 23 internally to ourselves to what we're doing and then 24 reaching out. 25 And we reached out to the Tlicho

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180 Investment Corporation, not only for a source of 1 supply, but of sources of resource information to -- on 2 a team effort. I'm also proud to say that we've also 3 worked with the Yellowknives Dene Investment 4 5 Corporation as well. And we've also participated in 6 conferences such as learning together, which is held in 7 Dettah this past year, on developing regional suppliers, and I'll say the 'mom and pop' suppliers as 8 9 well as -- with larger corporate suppliers. 10 That is one (1) of the key reasons why 11 we brought on extra support for capacity building, such 12 as the Council for Ab -- Council for Aboriginal 13 Business Support -- Canadian Council for Aboriginal 14 Business, because we were missing that gap in capacity 15 for resources to help the small business to be 16 competitive. 17 So with their help from the TIC, the 18 help from groups like the Yellowknife Dene (sic), the 19 help from the CCAB, we are putting a strong resource 20 pool together to help that small business. We've also met with the GNWT and we worked with them to make sure 21 22 that they are -- have put a variety of checks and 23 balance, or asked us to put checks and balances in 24 place, to ensure that not only are we looking at Tlicho 25 regional businesses, but that we're looking to support

businesses throughout the Northwest Territories. 1 2 So there are sufficient checks and balances in place internally with Fortune Minerals. 3 Our policies and procedures are on file with the Board; 4 5 they can be looked at from our purchasing objectives. 6 And we've brought in the proper resources and people to 7 team up with to make sure that we have the proper resources in place to not only make sure that we are 8 9 behaving as a good corporate citizen, but as we engage 10 suppliers, we look at examples as far as -- as a way to 11 help strengthen that small supplier. 12 As an example -- one (1) of the examples

13 we had worked with the Tlicho Investment Corporation as far as a scenario, that Fortune Minerals has clearly 14 mentioned with the all-season road that we will have to 15 16 have transportation to our mine site back and forth on 17 a regular basis. Fortune Minerals is not a bus 18 company, nor are we in that -- that type of business. 19 So we approached the Tlicho Investment 20 Corporation: What happens if that entrepreneur wants 21 to start up a busing company? What resources are in 22 place that that person can be a good supplier to me? 23 Awarding the contract is the easy part 24 of my job. Make sure -- making sure the supplier is 25 sustainable three (3), four (4), five (5), six (6)

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182 months down the road, that's the hard part of my job. 1 So what resources are in place locally to help that? 2 So the Tlicho Investment Corporation, CCAB and others 3 have come together to help that person to not have to 4 be under the Tlicho Investment umbrella, but they would 5 6 be there as a resource to help the person be 7 successful. 8 So thank you for your question. And I -9 - I am very proud to say we have put those checks and balances in place to help that small business, not only 10 locally, but regionally in the Northwest Territories. 11 12 THE CHAIRPERSON: Thank you. Mr. James 13 Wah-shee, any further questions? 14 MR. JAMES WAH-SHEE: Mr. Chair, I'd 15 like to thank you very much for answering my question and I'm happy with your response. Thank you. 16 17 THE CHAIRPERSON: Thank you. Mr. John 18 Curran...? 19 MR. JOHN CURRAN: Thank you, Mr. 20 Chairman. First off, just something that I picked up 21 from the presentation about Evergreen contracts, life-22 of-mine contracts. I -- I just want to commend you. I think that is another great step to give that small 23 business person the -- the assurance they need to make 24 25 the investment, to gain the capacity to be able to

service the mine and benefit from the development. 1 2 A question for you in terms of tendering processes that you -- you'll be using for -- for non-3 4 life-of-mine contracts: Will there be any bid 5 adjustments put in place to support northern and 6 Aboriginal-owned businesses within your procurement 7 strategy? Thank you. 8 THE CHAIRPERSON: Fortune Minerals...? 9 MR. BILL SHEPARD: Bill Shepard, 10 Fortune Minerals. Yes, we'll be looking at not only the price as far as when adjusting -- as far as 11 12 evaluating the bid, we'll be looking at the contract as 13 a whole. We've already accepted bids for some of the 14 small things we've been doing in the exploration phase 15 of the contract, that from a pure dollars and cent --16 cent standpoint, we picked contracts, or awarded 17 contracts, for not being the lowest bid, but being the 18 most cost-effective for all the services they provided. 19 And we do realize that, due to the location, to the 20 northern challenges they may have, they may have 21 different challenges as far as a southern supplier, as 22 an example, as far as access to the southern markets 23 and volume, what have you. 24 And we have chosen in those cases to 25 maintain the business in the North, even though it may

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be a slight financial impact to Fortune. But we felt 1 it was the best way to bring capacity to the community, 2 and it has a better spin off effect by helping that 3 business buy locally as well, for their supply as well. 4 5 So, "yes", is the answer. 6 THE CHAIRPERSON: Thank you. John 7 Curran...? 8 MR. JOHN CURRAN: Thank you, Mr. 9 Chairman. In the interest of transparency, is there a 10 set number that is used in terms of how much higher a northern business or an Aboriginal-owned business from 11 12 your impacted area could be versus a southern supplier? 13 Thank you. 14 MR. BILL SHEPARD: Bill Shepard, 15 Fortune Minerals. We've been asked to entertain that 16 number. What we've seen to date with the contracts we 17 had been offering, it's been within 5 percent is the 18 number we've seen. And we've asked to probably 19 maintain that -- that difference. But even with that 20 difference there, we -- it goes beyond just simple dollars and cents. We find that the northern supplier 21 22 brings a special nuance or level of service that the 23 southern supplier cannot. 24 Our business is very dynamic at best, at 25 most of the times. You can see even from the hearings

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the last few days this has been a very dynamic 1 experience as well. I find the northern supplier is 2 best suited to handle that dynamicness (sic) in our 3 business, and that would lean us to -- to look beyond 4 5 simply a percentage difference and -- and money when 6 awarding a contract especially. 7 THE CHAIRPERSON: Any more questions, John Curran? 8 9 MR. JOHN CURRAN: Yep. I'm just 10 curious, I know from Board member Danny Bayha's region 11 in Sahtu, with some of the development that's occurring 12 there, one (1) of the ways that developers have been 13 able to ensure they're dealing with -- with companies 14 that have made a true equity investment in their business, they've set up a business registry where they 15 16 can sort of weed out some of the paper tigers that 17 litter the -- the northern corporate registries, and --18 and focus on companies where they've made true 19 investments in -- in providing services. Has there 20 been any contemplation of -- of that sort of 21 initiative, or some other check and balance to -- to 22 make sure you're dealing with true companies and not 23 just storefronts or telephone booths? 24 MR. BILL SHEPARD: Bill Shepard, 25 Fortune Minerals. Yes, Fortune Minerals is maintaining

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a database for the current suppliers that we have now. 1 We have in upwards of five hundred (500) suppliers that 2 we currently do business with across the board for both 3 of our projects, both here and both in our BC projects, 4 5 and also in our corporate office. What we do is we 6 maintain their status and their bio, their company bio, to make sure they're meeting our corporate goals and 7 needs. 8

9 The next question naturally will be what 10 are those corporate goals and needs to be a good supplier or be a good company. That's, once again, the 11 -- the resource where the Canadian Council for 12 13 Aboriginal Business comes into play, is we're looking 14 at how we are conducting business as a company. 15 Fortune Minerals is, I'm proud to say, in the process 16 of receiving a PAR designation from the council, which 17 means progressive -- or positive -- or progressive 18 Aboriginal relations. And we're receiving an award 19 actually later on in the month of September in BC to that effect to -- achieving that special designation. 20 21 So in that end, we are looking at other 22 PAR designated companies to have assistance and 23 procedures in place that are Aboriginal friendly and also have Aboriginal policies in place in dealing with 24 25 companies that are from the North as well, especially.

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1 So we have vetting process we're putting 2 in place. And we've asked for some external expertise 3 through the CCAB, as an example, to help us make sure 4 that we are asking the right questions and vetting 5 those suppliers effectively, and maintaining a good 6 supplier database.

7 One (1) of those such examples is we are using a supplier for industrial supplies here in 8 9 Yellowknife. And we have switched some of our suppliers, for example, to a northern industrial supply 10 because that is a First Nations owned business from 11 12 Inuit (sic). And we're making some business decisions 13 such as that with our supply base currently from our 14 day-to-day needs, as well.

15 So we are currently going through our 16 current suppliers to make sure that they weren't 17 grandfathered into our -- our process, that they too 18 will be held accountable to make sure they have 19 progressive and positive Aboriginal relations as well. 20 THE CHAIRPERSON: Thank you. John 21 Curran...? 22 MR. JOHN CURRAN: Great. Certainly 23 CCAB is a very well-respected organization and I 24 commend you on working with them. No further 25 questions.

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1 THE CHAIRPERSON: Thank you. Rachel 2 Crapeau...? 3 MS. RACHEL CRAPEAU: Thank you, Mr. Chair. On Monday we heard some young mothers and some 4 5 community people talk about the possibility of 6 socioeconomic benefits that will benefit the community. But there could be some downside to the economic 7 development opportunities. 8 9 And I remember a while ago, Alice Able 10 (phonetic), she runs the health and social program for 11 the Yellowknives Dene, and I see lots of Elders all go there and they can talk to her in Tlicho and she 12 13 understands and respects the Elders, and they can talk 14 to her if they have any concerns about their family and 15 the young people who work in the mine site. Back some 16 time ago the idea was planted in -- in the heads of 17 mine owners to maybe think about offering a -- a 18 community could offer employee assistance programs to 19 mine, whereby people can help each other in their own language. This way, maybe some concerns could be 20 alleviated. 21 22 I was especially touched by the mothers 23 who had concerns for their children and the future, 24 maybe downsides of what could happen when a mine is 25 built nearby. And I'm speaking also because our people

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189 in Dettah and N'Dilo have seen a lot of the downsides 1 of a mine being nearby and the money that gets made. 2 3 So if there was a place for -- the young 4 people could -- could go to, like a Tlicho health or 5 counselling services that was done in the languages, 6 their own language, could -- could you, as a company 7 consider contracting out this kind of services to the community rather than a counselling company in 8 9 Yellowknife or somewhere else? That's what I was just 10 wondering about, because we're talking about the future 11 health of the people. Thank you. 12 THE CHAIRPERSON: Fortune Minerals...? 13 14 (BRIEF PAUSE) 15 16 MR. PAT MOLONEY: Pat Moloney, Fortune Minerals. With regards to a family and -- and employee 17 18 advisory -- or counselling program, that is in our --19 part of our plans already. 20 With regards to how that would -- who --21 what company we would bring on board to do that 22 program, we are -- we're open to who that company is as 23 long as they are -- I think one of the comments earlier 24 was not a telephone booth or a -- you know, they --25 they would have to be vetted, I guess, made sure that

they can do the job properly. 1 2 So it would probably -- it's really just a matter of if the -- if the people -- if the Company 3 is there that's competent to do the job then we would 4 be -- certainly be open to it. And we certainly want 5 6 to ensure that whatever company is doing it has the ability to work in multiple languages so that people 7 who are calling looking for help can speak in their own 8 9 language. 10 THE CHAIRPERSON: Thank you. Okay. 11 Any further questions, Rachel Crapeau? 12 MS. RACHEL CRAPEAU: I don't have any 13 further questions. But the Tlicho government here, the 14 community people here do have a friendship centre, and 15 from what I understand they do provide counselling 16 services to the people in the communities here. Plus, they've done some workshops in Yellowknife whereby 17 18 people have gone to their workshops, and from what I 19 heard from the people who attended their workshops, it 20 was very helpful, especially in the areas of 21 counselling aftermath the residential school 22 experiences. 23 So I'm hopeful that we try our very best 24 for the Tlicho, for -- for us and the Company. Thank 25 you.

1 THE CHAIRPERSON: Okay. Thank you. And this concludes the questions. But before I go 2 forward, yesterday and today I mentioned that I'd like 3 to continue to recognizing past leaders in our audience 4 and so on. Yesterday I overlooked a former grand 5 6 chief, also for the Tlicho region. I want to recognize Alfonz Apple (phonetic), who is also the former Grand 7 Chief of the Tlicho region. He's in the back. 8 9 And this morning when I did my opening 10 comments I had mentioned that we're going -- we have an agenda that we're going to stick for today. We made 11 12 some changes and we have to stick to that agenda. 13 And the other thing, too, is that I also 14 had said that if -- if we -- we put questions down to 15 three (3), and -- and we also said that three (3) --16 three (3) questions, and -- and keep it short and 17 brief, and direct, and that's what I also asked this 18 morning. 19 And the other thing is that, you know, 20 when -- I think we're going to go till 4:00 today. And 21 we also set a date -- a day already aside for when we 22 come back in October 10 and 11, a day for -- to 23 accommodate the Tlicho on their TK report, but also there's time in there, too, where we just want to 24 25 concentrate on -- on the questions from the community.

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So we're going to do as best we can to listen to what 1 we can here today, and if we -- we're not able to 2 accommodate them then we're going to put -- we're going 3 to try and address it on that day. 4 5 So I'm going to move forward. I'm going 6 to go to the Tlicho government on their socioeconomic 7 presentation. Mr. -- Mr. Chairman, 8 MR. BILL ENGE: 9 Bill Enge here with the North Slave Metis Alliance. 10 You may have noticed that I was missing in -- when -when our turn came up to ask the proponent some 11 12 questions in regards to their presentation. I was 13 unavoidably delayed, as I have other responsibilities. 14 And I'm just wondering if the -- the Chair would allow 15 me to take my turn to ask the proponent a question? 16 THE CHAIRPERSON: At this time I'm 17 going to say "no", and I'm going to ask you to put your 18 question in writing and send it to Fortune Minerals. 19 That letter will be put on my registry -- our registry, 20 and then you quys can respond back to his question on 21 the registry. And -- and I said that this morning, as 22 well, to the people here, that I -- I -- you know, we 23 all have ten (10) questions or fifteen (15). I said, 24 Take your best three (3), then put it in three (3). 25 But I said if you had more questions, I

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193 mentioned this morning, again, put it in writing. 1 It'll be posted on our registry. And whoever you're 2 going to write to, they will respond back to that so 3 it's on the record. 4 5 So -- because of a matter of time, we --6 we have to stick to the agenda I mentioned this morning. So I'm going to -- Mr. Enge, I'd like to 7 entertain that, but that would be my suggestion to your 8 9 -- your issuing your concern. Thank you. 10 MR. SHAFIC KHOURI: Mr. Chair, Shafic, ENR. I believe you may have forgotten to ask a few 11 12 parties if they had questions for Fortune Minerals' 13 socioeconomic presentation. 14 THE CHAIRPERSON: I did, and 15 unfortunately if you're not in the room this applies to 16 you, too, as well. 17 MR. SHAFIC KHOURI: Shafic, ENR. Ι 18 believe we were in the room the whole time. Could have 19 possibly been -- been missed? Thank you. 20 21 (BRIEF PAUSE) 22 23 THE CHAIRPERSON: You were in the room? 24 MR. SHAFIC KHOURI: Shafic, ENR. 25 That's correct.

1 (BRIEF PAUSE) 2 3 THE CHAIRPERSON: Okay. Sorry, if you 4 were in the room, and if we missed you, and -- then 5 please proceed. 6 7 (BRIEF PAUSE) 8 9 MR. SHAFIC KHOURI: Shafic, ENR. Just one (1) minor request to Fortune, and my colleague here 10 has two (2) questions, and then I had possibly one (1) 11 12 housekeeping question, but I'll leave that to the 13 Chair, if I can ask that. 14 Just, first, a minor question. I 15 believe the presentation that's posted online differs 16 slightly from the one that may be shown today, maybe the last couple slides in all. I'm just wondering, is 17 18 -- would we possibly be able to just get that re-19 posted, submitted to the registry? 20 MR. PAT MOLONEY: Pat Moloney, Fortune 21 Minerals. The presentation we did was the shorter version. We had two (2) versions. There was a -- a --22 23 there's a longer version. I think this is the one that 24 is on the registry. 25 MR. SHAFIC KHOURI: They're the same

slides, though? 1 2 MR. PAT MOLONEY: That's the same slides, just with a couple more. 3 4 MS. LAURIE MORIN: Hello, my name is 5 Laurie Morin. I'm from the Department of Education, 6 Culture and Employment. I have two (2) questions. The first is: I understand that approximately 20 percent 7 of the labour will come from outside of the NWT. Are 8 9 there any southern pick-up points; is my first part of 10 that question? 11 And the second is: If there isn't will 12 you be rec -- will they be receiving any supplementary 13 travel allowance to get to the NWT? 14 THE CHAIRPERSON: I'll go to Fortune 15 Minerals. 16 MR. PAT MOLONEY: Pat Moloney, Fortune 17 Minerals. Right now our current plan is the most 18 southerly pick up point would be Yellowknife. And we 19 haven't yet made any firm decision about any kind of subsidies for -- for travel allowance. 20 21 THE CHAIRPERSON: Thank you. I'll go 22 back to GNWT. 23 MS. LAURIE MORIN: My last question is 24 -- Laurie Morin, again -- there was a labour force 25 survey completed, I understand, from the Information

Request response, to help address employability 1 challenges. I -- I wonder if you might provide some 2 more details, or if it's a report submitted to the 3 4 registry? 5 THE CHAIRPERSON: Thank you. То 6 Fortune Minerals for your final question. Sorry, GNWT. 7 I'm going to Fortune Minerals. 8 MR. PAT MOLONEY: Pat Moloney, Fortune 9 Minerals. That was something that was discussed during 10 the -- the technical hearings, but it is not something 11 that has been done. The one (1) thing I can say is 12 that one (1) of the things that we are moving forward 13 to do is, through the socioeconomic, is working with 14 the Tlicho Government to do some -- plan -- plan out 15 some processes to get that kind of information. 16 As a matter of fact, I spent yesterday 17 afternoon working with Bertha Black (phonetic). Bertha 18 Black is the HR coordinator for Behchoko. And I wanted 19 just to tap into her knowledge, because her full time 20 job is -- is helping Tlicho citizens here in Behchoko 21 find work. And I actually talked to her about how she 22 saw a process evolving, where we could get a sense of -23 - of who in the communities would be interested in 24 working for Fortune Minerals and what their skill-sets 25 are.

1 And -- and, in her role, she has resumes for everyone on file. All -- all the people that are 2 looking for work, are working, so even the people that 3 work in the diamond mines, she's got their resumes on 4 5 file. She's -- she's got her finger on the pulse. 6 And -- and her thought was that to do 7 some form of a recruitment drive. So basically give her the information of the -- the job, the job 8 9 responsibilities, and the types of skills and 10 requirements, certificates, or whatever, that would be needed for the jobs. She would then go through a 11 12 process of communicating that to the people in the 13 community in Behchoko. I would then come to the -- to 14 Behchoko on -- on that -- on that date and then just 15 start meeting with people and gaining that information 16 about who's in -- you know, who's -- who's available, 17 who's interested. 18 Obviously, it's not a perfect situation. 19 Our -- our ongoing struggle is the lack of a -- of a 20 firm start date. So it's not going to be a perfect picture of what's -- what we have, but it's a starting 21 22 point. 23 So her feedback was start in that way, get a sense of who we've got, know what those skills 24 25 are, what they can do, what they can't do, and that

would then help us start working towards, you know, 1 what the gaps are and what kind of training we would 2 need to do to get people up to speed to -- to fill in 3 those other jobs, so. 4 5 THE CHAIRPERSON: Thank you. Is there 6 a follow-up question? 7 MR. SHAFIC KHOURI: Mr. Chair, Shafic, Government of the Northwest Territories. Just possibly 8 requesting a undertaking for the GNWT regarding 9 yesterday's wildlife presentation. We were asked to 10 provide our recommendations in writing today. And I'm 11 12 just wondering if we could have an undertaking to pro -13 - to provide those sometime next week? Thank you. 14 THE CHAIRPERSON: And that -- the 15 undertaking is -- is by Fortune Minerals? 16 MR. SHAFIC KHOURI: Shafic, Government of Northwest Territories. Sorry, that was to -- that 17 18 was for the Government of Northwest Territories to 19 clarify it's recommendations to the Board. Thank you. 20 THE CHAIRPERSON: Okay, thank you. 21 And, Mr. Donihee, when -- we're keeping track of that, 22 but go ahead, Mr. Donihee. 23 MR. JOHN DONIHEE: John Donihee, for 24 the Board. Certainly, Mr. Chairman. Undertaking 25 number 3 then will be for the Government of the

Northwest Territories to provide the recommendations 1 made during the wildlife session on August 30th, to 2 file those with the Board in writing by early next week 3 good enough? September 4th, 5th -- September 5th. 4 5 Thank you. 6 7 --- UNDERTAKING NO. 3: GNWT to provide the 8 recommendations made during 9 the wildlife session on 10 August 30th, by September 11 5th 12 13 THE CHAIRPERSON: You agree -- GNWT, 14 you agree for that -- to that for the record? 15 MR. SHAFIC KHOURI: Shafic, Government 16 of Northwest Territories. Thank you very much, that's 17 great. 18 THE CHAIRPERSON: Thank you. Before I 19 go to the Tlicho presentation, again, you know, I 20 overlooked you even though you were in the room, just 21 so that my comments, you know, to -- to the North Slave 22 Metis saying "no" to them because they weren't in the 23 room, this also applied to the Tlicho as well. And 24 they weren't in the room and they also -- I asked and 25 then they weren't here, so I continued on in that

And I made a note of it this morning that, you 1 order. know, we all agreed to these times, so not only to the 2 North Slave, it also applied to the Tlicho this 3 morning, as well. And there were other people in the 4 5 room I think I -- I asked, they weren't here. 6 So with that, I'm going to continue on. The next presentation on the socioeconomic is the 7 government -- sorry, the Tlicho Government. I'm going 8 9 to turn it over to the Tlicho Government. Masi. 10 11 SOCIOECONOMIC - PRESENTATION BY TLICHO GOVERNMENT: 12 DR. GINGER GIBSON: Masi cho. Ginger 13 Gibson for the Tlicho government. In -- in respect of 14 the time-frames, we're going to make our presentation 15 much shorter than what is provided to the public registry, and -- and knowing that we want to get this 16 17 afternoon to -- the opportunity for public comment to 18 be made. 19 We're -- we're really -- it was good to 20 hear the presentation of the Company this afternoon, 21 and we are pleased to hear that the Company is meeting 22 with Bertha Black, and with the career development 23 coordinators. That's excellent news. 24 And -- and we know that socioeconomic is 25 a -- is an area that requires lots of work and -- and

attention now, so we're pleased to see that happening. 1 We're also pleased to see the Company now committing to 2 work with the Tlicho Government, to look at the very 3 pot -- this -- the potential impacts of in and out 4 5 migration, which we brought to the Company as an issue. 6 They responded that they would work on it, and we're pleased to be starting a process now to work with them 7 on this really important component, because we believe 8 9 that if even ten (10) families move to Whati in order to access work that this could have very serious 10 impacts on community infrastructure and -- and social 11 12 services. So we are -- we're pleased to be moving 13 forward on this topic.

One (1) of the -- the areas we've -we've worked on, and -- and are interested in is that and we're -- again we're pleased to see the Company moving forward with car -- career development officers, because they do have -- in the community they have their finger on the pulse of what's going on with the labour force.

We do believe that it's very important. We've got three (3) operating mines in the territory, and there's really good information from those mines about lessons learned, but there's also really good information from the career development officers.

We are looking forward to -- to 1 understanding better where the Company thinks that they 2 can get to with respect to hiring targets. We are 3 4 concerned if the targets are -- if -- if we -- you 5 know, our estimates right now is that anywhere from 6 forty (40) to seventy (70) people could be hired that are Aboriginal, and -- and so we'd like clarification 7 on that, and we'd like to move that up as much as 8 9 possible. 10 If this mine is to go ahead, it is 11 absolutely critical that as many Tlicho people be hired 12 in as many different positions, and in -- in as high of 13 senior management or management positions as possible. And so we'd like to really work carefully on this area 14 15 of the -- the barriers that have to be tackled right 16 now, and no better place to tackle them then in and 17 with the Tlicho government, and so we'll look forward 18 to working on this together. 19 One (1) of the gaps we've identified is 20 that if we have few employees that are Tlicho people 21 living in the communities, the Tlicho government itself cannot benefit from taxation. Taxation dollars come to 22 23 Tlicho government through community members that are 24 living in one (1) of the four (4) communities that are 25 employed. And so the -- the employment targets

1 themselves have a direct impact on Tlicho Government 2 taxation and revenue: the ability to tax and the 3 revenues.

And so because we haven't had clear 4 5 understanding of where the targets are going to be or 6 how -- how they can realistically be set, because there is no labour force date -- data, we've been having a 7 hard time estimating ourselves for -- how much revenue 8 9 this could bring -- the proposed development could It's an area where 10 bring to the Tlicho government. we're missing information and we -- we are looking 11 12 forward to getting better information on this 13 component, so that the Tlicho Government can make a 14 good judgment on this question.

15 I'm going to turn briefly to Janelle 16 Nitsiza who's going to make a very brief presentation 17 on the potential impact on the use of the road in 18 Whati.

MS. JANELLE NITSIZA: My name is Janelle Nitsiza. I'm eighteen (18) years old and I'm from Whati. And my grandparents are Johnny and Dora (phonetic) Nitsiza.

I'm here today to share with the Review
Board, Fortune Minerals Limited, and the people of
Behchoko my thoughts about what will happen to my

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community socially if the mine were to go through. 1 2 Being a young adult myself I know the things that go on in my community when it comes to 3 drugs and alcohol. We're already getting them in 4 5 through airplanes and motorboats. Imagine what will 6 happen and how much easier it will be to sneak it in 7 when the road goes ahead. There will be young people skipping school to feed their addictions. They won't -8 9 - they don't have time to live the best of both worlds, 10 meaning culturally and educationally. I know this for 11 a fact because I've seen it happen to some of my 12 friends and peers. 13 The crime rate will go up. In Whati --14 in Whati when you hear about young people drinking or 15 doing drugs you can guarantee that there will be a 16 fight or some sort of drama; drama that could have been 17 avoided if drugs and alcohol weren't so easy to access. 18 A couple of weeks ago three (3) of my cousins were 19 drinking. It got so bad I thought I would -- I thought 20 I lost one (1) of my closest family members. He was 21 just lying there on the ground not moving, all because

22 of miscommunication over alcohol.

23 When the ice road is open from Whati to 24 Yellowknife, Whati is practically a ghost town. You 25 see more people on the ice roads than you see them with

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their children, or even at home. That being said, 1 children will be neglected, when really they should be 2 a priority. But sometimes our addictions are stronger 3 than we are. The amount of children under social 4 5 service -- social services will rise. 6 We are the future. You should be -- we should be treated with respect and should be raised the 7 right way just as our parents were. My fear is that 8 the all-season road will take that -- will take that 9 10 away from the future generation. 11 I grew up without an all-weather the 12 road. I was raised by my grandparents. They raised me 13 to -- to the best of their abilities. I want my children and their friends to see that as well. 14 15 I'd like to thank you all for listening to me. I wanted to share what I've seen and what I 16 17 think will happen to Whati if the road -- road were to 18 qo. Masi cho. 19 THE CHAIRPERSON: Thank you for your 20 presentation. 21 DR. GINGER GIBSON: In closing, Mr. 22 Chair, the Tlicho government has identified in our 23 presentation that's on the public registry many 24 information gaps which we are actively working on right 25 now. We're looking forward to a much stronger

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engagement with the Company on these questions. 1 2 We will be looking to the GNWT. We will be looking to the Company to assist in mitigation 3 areas; areas like Whati infrastructure, health, social 4 5 services. We'll be looking to see what kinds of 6 protections can be put in place so that that community 7 can stay strong for people like Janelle and the families that live there in that community. 8 We're 9 going to be looking to maximize employment and business opportunities if this proposed mine goes ahead, to 10 11 strengthen training and education, to protect for the 12 social, economic, and cultural risks. 13 And a closing comment on the mitigation 14 measure that Board Member Rachel Crapeau was 15 discussing; we've heard from all of the diamond mines 16 that in your own language counselling and on the land counselling is what is needed for people who are -- are 17 18 struggling or having or wanting to speak with somebody 19 so that they're not speaking -- that they have the --20 the right to choose what kind of counselling or what 21 kind of employment family assistance program is 22 available for them. 23 And so we strongly support that -- that 24 approach that was suggested by Board member Rachel 25 Crapeau. And we're looking forward to identifying for

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the closing argument the strong mitigations that should 1 be in place to ensure that, if this development goes 2 ahead, that Tlicho people have -- experience a great 3 deal of benefits and are protected from the risks. 4 5 In closing, Mr. Chair, we are -- we are 6 seeing movement on this issue and -- and we are going 7 in the right direction. Masi cho. 8 9 QUESTION PERIOD: 10 THE CHAIRPERSON: I want to thank the 11 Tlicho for doing their presentation on the 12 socioeconomic part of the presentation. And I want to 13 thank the young lady there for doing your comments. 14 And it was really good to hear that. Masi. 15 I'm going to go into questions. I'm 16 going to go from the top down. I'm going to go to 17 Fortune Minerals. 18 Is there any questions to the Tlicho 19 government on their presentation of the socioeconomic? 20 MR. PAT MOLONEY: Pat Moloney, with 21 Fortune Minerals. No questions, Mr. Chairperson. And 22 we're positive about the -- the engagement as well. 23 Thank you. 24 THE CHAIRPERSON: Thank you. I'm qoing 25 to go to the Yellowknives Dene First Nation. Is there

any questions for the Tlicho on their presentation? 1 Todd Slack. Excuse 2 MR. TODD SLACK: Todd Slack, Yellowknives Dene. No questions. But 3 me. thanks very much to the young woman; that's a very 4 5 strong -- very strong voice. 6 THE CHAIRPERSON: Thank you. I'm going to go over to the North Slave Metis Alliance. 7 Questions for the Tlicho on their presentation? 8 9 MR. BILL ENGE: Thank you, Mr. 10 I can empathize with the Tlicho people with Chairman. respect to the impacts that this mine will have on the 11 12 people should it go ahead because we share in this 13 region the same impacts from other mining developments. 14 And I would like to also support their 15 wish to have additional mitigative measures put in 16 place for social impacts should and when they happen. Thank you. 17 18 THE CHAIRPERSON: Thank you. I'm going 19 to go over to -- the next one (1) I have on the list is the Government of Northwest Territories. For the --20 21 okay. 22 MS. LORI MARTIN: No questions. 23 THE CHAIRPERSON: Thank you. Your 24 name? 25 MR. SHAFIC KHORI: Shafic, Government

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209 of the Northwest Territories. No questions. Thank you 1 very much. 2 3 THE CHAIRPERSON: Okay. And thank you. I'm going to go to Aboriginal Affairs Canada. Oh, 4 5 sorry, are they here? 6 MR. PAUL GREEN: It's Paul Green, with 7 Aboriginal Affairs. We have no questions. 8 THE CHAIRPERSON: Okay, thank you. I'm 9 going to go to the Review Board staff. Go ahead. 10 MR. CHUCK HUBERT: Thank you, Mr. 11 Chair. Chuck Hubert, with the Review Board. Just one 12 (1) question for Tlicho government. I'm interested on what the status of 13 ongoing collaboration with Fortune Minerals is on --14 15 towards the socioeconomic procurement. 16 THE CHAIRPERSON: Thank you. I'm going 17 to go to the Tlicho government. 18 19 (BRIEF PAUSE) 20 21 DR. GINGER GIBSON: Masi cho for your 22 question. Mr. Chair, we have -- we are seeking 23 direction from the Tlicho chiefs on this question. 24 THE CHAIRPERSON: Okay. And tell --25 once you get that back, then you'll let us know. I'm

210 going to go to the Board members. I'm going to go to 1 my far left, Percy Hardisty...? 2 3 MR. PERCY HARDISTY: Masi, Mr. Chair. 4 No questions. 5 THE CHAIRPERSON: Thank you. Rachel 6 Crapeau...? 7 MS. RACHEL CRAPEAU: Masi cho, Mr. Chair. No questions. 8 9 THE CHAIRPERSON: Thank you. Danny 10 Bayha...? 11 MR. DANNY BAYHA: Thank you, Mr. Chair. 12 I just had a question more or less. You said you had 13 some issues with -- and -- and I'm glad to hear that, 14 you know, you're comfortable and you're happy with some 15 of the progress that's been made, some of the 16 agreements and -- could some of this stuff that you 17 require, some mitigation measures that you identified 18 such as employment, training and education, maybe 19 social issues, maybe counselling in your own lang -- in 20 your own language or -- could that be something that 21 would be covered in an agreement directly with the 22 Company like a socioeconomic agreement. 23 Would that be something that at another 24 venue that possibly could be looked at or have you 25 discussed it or given some thought? Thank you.

211 1 THE CHAIRPERSON: Thank you. I'm going to go to the Tlicho government. 2 3 MS. GINGER GIBSON: Masi cho for the In some form of agreement those issues could 4 question. 5 be treated. Yes. Masi. THE CHAIRPERSON: Danny Bayha...? 6 7 MR. DANNY BAYHA: Thank you. No further questions. 8 9 THE CHAIRPERSON: Thank you. I'm going 10 to go to Richard Mercredi. 11 MR. RICHARD MERCREDI: Thank you, Mr. 12 Chair. No questions. 13 THE CHAIRPERSON: Okay. Thank you. 14 James Wah-shee...? 15 MR. JAMES WAH-SHEE: I -- I have -before I ask a question, I like to thank the Tlicho 16 17 government for their presentation and the views and 18 comments that was expressed by the young lady from 19 Whati. Now my -- in the presentation I believe I saw 20 what the percentage of the Tlicho laid before us in the Fortune mines. 21 22 Given the past history of the other 23 three (3) mines: BHP, Diavik, De Beers regarding the 24 percentage of the -- particularly pertaining to Tlicho 25 workforce. I believe in the IBA agreements with the

three (3) diamond mines there was a percentage that was 1 agreed to by the Tlicho nation at that time. 2 3 Tlicho government as such did not exist at that time. However, the IBA with the diamond 4 5 companies I believed they reached an agreement of a 6 certain percentage. I don't specifically recall the exact percentage. I think it was somewhere between 25 7 and 30 percent. 8 9 However, at the beginning the discussion between the Tlicho nation and the three (3) companies 10 at the initial discussion stage, it seems to be a 11 12 cooperative arrangement at that time. However, since 13 the agreement was made and the Tlicho nation encouraged 14 a number of Tlicho people to work in those mines and 15 getting into a proper training and so forth. 16 So at the beginning I think there was a 17 lot of support from the diamond mine companies and also 18 with the back up of the Tlicho nation. However, after 19 the agreement was made and -- and then at the -- at the 20 initial stage there was quite a few Tlicho people that 21 were given an opportunity to work, but over the years a 22 lot of our people were discriminated against in the 23 mines; particularly, by the southern workers that were 24 hired by these mining companies. 25 Preference was supposed to be given to

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aboriginal people in terms of training and permanent 1 employment, but that scenario turned out to be -- to 2 have a negative impact on the -- particularly in this 3 area, the Tlicho workers. 4 5 We all know what happened in Diavik, BHP 6 and De Beers. Over the years at the beginning you may have had maybe 20 percent, but currently if you look at 7 the Tlicho people that work in Diavik, for instance, I 8 9 believe the last one (1) was let go. 10 And in terms of promotion and so forth, preference again was given to the -- particularly the 11 12 workers that were brought in from the south, from a 13 variety of provinces, from Newfoundland to BC, I 14 believe. 15 So I think good intentions are good 16 intentions. However, in practical terms given the 17 amount of southern workers that are being brought in, 18 they, in the end, were given preference and the 19 Aboriginal people were let go. That is something that 20 we all know. It's not something that we are making up 21 here. It's part of our experience as Aboriginal people 22 with the mining industry. 23 So -- so given the presentation, I am rather sceptical that if you agree to 30 percent, or 24 25 even 50 percent, I'm not sure that that percentage will

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214 be sustained throughout the life of the mine given the 1 past history of the mining industry in our backyard and 2 in -- in particularly in this region. 3 4 So my question is: How is this 5 agreement going to be negotiated between the Tlicho government and Fortune Minerals to ensure that the past 6 history and experience will not reoccur, particularly, 7 with this particular mine in the backyard of the Tlicho 8 9 nation period? Thank you. 10 11 (BRIEF PAUSE) 12 13 THE CHAIRPERSON: Thank you, Mr. James 14 Wah-shee. I'm going to Tlicho government. Masi, Mr. James 15 DR. GINGER GIBSON: 16 Wah-shee, for your -- your intervention. It's -- it's 17 very powerful what you've said and -- and we work very 18 closely on these issues because we manage the 19 negotiation -- we manage the implementation of the 20 three (3) existing agreements that are held with mining 21 companies and we do have lessons learned that we think 22 are very critical for moving forward on precisely this 23 question. 24 When you say that there are targets in 25 those agreements, there are targets in some of the

1 agreements. And some of those targets are very 2 disappointing now, because they have been slid back 3 from.

The company starts out with very good 4 5 intentions, but the reality sometimes of -- that --6 that those preferential moments happen becomes a -- it -- it has become a reality in many of the companies. 7 And so we do see backsliding from the targets. And 8 9 when you see targets not being met, it is very 10 disappointing for the -- for the Tlicho government. 11 So we want to see -- that's why we've 12 been asking for realistic labour force studies that 13 help us understand just what the population needs are for who's available for lab -- for work and what the 14 15 barriers are for them. 16 But once we have negotiation --17 negotiated agreements, we want to see better mark --18 benchmarks and milestones in those so that if there are 19 targets they're not just targets, but they actually 20 have a series of steps to them as well as a -- a 21 penalty should they not be met. 22 And sometimes when I talk about penalty, 23 it means more -- if you don't hit the target, at least 24 you put more funding or training -- into education and 25 training, so that the people that are not hired are

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216 given -- getting -- given the -- or, getting the skills 1 2 that they need to -- to hit the mark. 3 We -- we really do see a need for support for workers at the site. The more Tlicho 4 5 people that are -- are at the site, the more comfort 6 they will feel being there. But also, they need 7 support in their jobs and they need support for lateral and upward movement. And that's something that we have 8 9 very strongly made the point that there is very little upward movement of Tlicho people in the three (3) 10 11 operating diamond mines. And we'd like to see much 12 more of that. I'll turn to my colleagues to see if 13 there is any other comments. Masi. 14 Thank you. Mr. James THE CHAIRPERSON: 15 Wah-shee, did you want to -- any further comments or 16 any questions? 17 MR. JAMES WAH-SHEE: Just one (1) more 18 question in regards to what I have stated. 19 It's not only concerning the hiring of 20 the Tlicho people in the labour force: truck drivers, 21 big machine operators, and so forth. My question also includes to ensure that Fortune Minerals consider 22 23 training and hiring Tlicho people in management 24 positions as well. 25 To be part of the labour pool is one (1)

thing, but I think it's about time that we encourage 1 our people to get into management training. It's one 2 (1) thing to ri -- to drive a truck, but it's another 3 4 thing to manage other people who are in the workforce. 5 Thank you. That's just a question, if you wish to respond. Thank you. 6 7 THE CHAIRPERSON: Thank you. We'll go to the Tlicho government. 8 9 DR. GINGER GIBSON: Masi cho for the --10 the comment. We -- we wholly agree that -- and -- and 11 have identified this as a critical issue with the 12 operating diamond mines, that there be manage --13 movement up through training. 14 We're pleased to see that the -- the new 15 CEO for the Tlicho Investment Corporation has that 16 commitment and that background himself, and -- and is -17 - is encouraging people that are within the -- the 18 Tlicho Investment Corporation businesses himself, 19 encouraging them with that kind of training. So it's 20 very much a supported endeavour in the -- in -- for the 21 -- for the Tlicho government, and we're supporting the 22 companies in that effort. Masi. 23 THE CHAIRPERSON: Thank you. Mr. John 24 Curran...? 25 MR. JOHN CURRAN: Thank you, Mr.

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Chairman. A question for Janelle Nitsiza. Has you
 considered a career in mining yourself, at all? Thank
 you.

MS. JANELLE NITSIZA: No, I haven't. 4 5 THE CHAIRPERSON: Mr. Curran...? 6 MR JOHN CURRAN: A questions for the 7 Tlicho government. What can be done to get more young people engaged, so that they are considering these 8 9 careers in mining? If we're looking at a twenty (20) 10 year mine life, with the potential to rise up through a company and -- and become a leader of a community and -11 12 - and really, a leader within a global industry, 13 certainly there must be some responsibility to the 14 citizens as the government of record to -- to take a 15 role in that. 16 Where do you see yourselves fitting in? 17 THE CHAIRPERSON: Thank you. We'll go 18 to the Tlicho government. 19 20 (BRIEF PAUSE) 21 22 DR. GINGER GIBSON: Masi. I -- I think 23 that the -- there's a responsibility -- the responsible 24 authorities, the education in the schools is -- is a 25 place to focus.

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1 So the -- the joint presentation, and 2 not the one (1) sided presentation that sometimes comes 3 of -- from -- from mining, but the presentation of what 4 mining is, what options it offers. 5 I think, especially to address the 6 member James Wah -- James Wah-shee's point, that --

that there are a variety of careers out there, that we 7 don't have to just put people in the jobs of truck 8 9 driving, that -- that people can become guardians of 10 the environment, that they can become stewards of the environment in the mining career, and that they can be 11 12 the caretakers by being the people that are in --13 independent monitors, or by being the people that are 14 on the land monitors much as they have in the Voisey 15 Bay dia -- nickel mine.

16 I want to just mention that we're very 17 proud, the Tlicho Government is very proud of the work 18 that -- for example, Jan -- Janelle Nitsiza was 19 involved in this summer. Her summer job, hired through 20 the Tlicho government, was to be on the land to work in 21 Whati through the Tlicho Imbe Program to learn traditional skills. 22 23 So support for people to be strong like two (2) people, to learn the skills of their nation, of 24

25 their Elders, of setting net, of sewing, of all of the

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220 different kinds of skills. Firearm training was 1 another part of it, canoe safety, many different 2 elements. 3 4 And I think part of encouraging people 5 to become active in -- in these careers is -- is 6 strengthening the ability for people to be strong like two (2) people. Masi. 7 8 THE CHAIRPERSON: Thank you. Any 9 further questions? 10 Just one (1) -- one MR. JOHN CURRAN: 11 (1) other comment. Environmental monitor certainly 12 sounds better than truck driver. Truck driver pays 13 pretty good. I want to see mine mangers, though. I 14 want to see supervisors, things like that, when we're 15 talking about Aboriginal engagement. Thank you. 16 THE CHAIRPERSON: Thank you. I believe 17 Richard Mercredi had one (1) more question, or two (2) 18 maybe. 19 MR. RICHARD MERCREDI: Yeah, I did have 20 a question on the training -- on the partnership 21 training. I'm just wondering if you've looked at --22 you know, the other two (2) diamond mines are out 23 there. 24 I know they do their hiring for premise 25 -- premises, whether in the trade, whether it's

electrician, plumber, mechanic. They hire onsite as 1 opposed to going out, and I don't know if that's part 2 of the impact benefit agreement. But to me it kind of 3 -- it kind of backfires because what happens is the 4 5 Company is trying their best to hire as many Aboriginal people as possible. Not all of them have a good 6 education, so there's a lot of haul, truck drivers, Cat 7 skinners, and there's your kitchen people, and your 8 9 cleaning, and all the other variety of people that are out there. 10 11 And so when an apprenticeship training 12 opportunity comes open, 95 percent of the Aboriginal 13 people on site do not have those qualifications or 14 educations, so they in turn go out and hire, and they 15 hire non-Aboriginal people. 16 And what happens is there's no 17 opportunity for other Aboriginal people in the small 18 communities to apply for that apprenticeship who may be 19 qualified, but because they're hiring on site, once 20 they go through those people all of a sudden, you know, they go to the next stage, right. 21 22 So I don't know whether there's --23 you've looked at that, or -- because something -- I --24 I feel it's very important, and I know this happens 25 because I have three (3) children working at the mine,

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222 and they see this happening. In their case they're 1 okay because they're -- they're already qualified and 2 working as tradespeople or whatever. But there's --3 other training opportunities for Aboriginal people are 4 5 going by the wayside that could be hiring somebody in 6 the small communities that -- that is educated, because not all the people that are educated are working at the 7 mine, right. 8 9 THE CHAIRPERSON: Thank you. I'm going 10 to go to the Tlicho government. 11 12 (BRIEF PAUSE) 13 14 DR. GINGER GIBSON: Masi cho for that 15 really good idea of -- for moving forward with an 16 agreement. I -- we think that it's a really -- it's a 17 really useful idea to move forward with. 18 And -- and I -- and we strongly 19 encourage -- we -- we encourage and are always looking 20 for opportunities for people to become apprentices 21 within -- within the mines. It's such an important 22 skill, especially because people can then transition 23 out and become the apprentices that are serving their 24 communities, the remote communities. 25 I just want to mention that I wanted to

acknowledge all of the people who do work in the mines 1 in the room that are Tlicho, and -- and other 2 Aboriginal people that work in the mines, because I 3 know that there are plenty here. And I acknowledge 4 them and acknowledge the strength of all of the people 5 who have worked in and have spent more than twelve (12) 6 years now, some of them, working the mine. 7 8 And I think it's from their experience 9 that the Tlicho government looks forward to learning from them about what works, how they make it work, and 10 how they become -- how they are strong like two (2) 11 12 people in the mines. And -- and we want to move 13 forward on agreements for mining that support those people to continue in their jobs, or bring new people 14 15 in to move them up and through the different types of 16 careers that people can -- can get involved in, in the 17 mining industry. Masi. 18 THE CHAIRPERSON: Thank you. Richard 19 Mercredi...? 20 MR. RICHARD MERCREDI: No -- no further 21 questions. Thanks. 22 THE CHAIRPERSON: Thank you. I want 23 to say thank you to the Tlicho government on your -for your presentation and also -- and also I want to 24 25 say thank you to Janelle Nitsiza for your -- for

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helping out in your presentation. Masi Cho. 1 2 I'm going to continue on, on the agenda. Next I have is the socioeconomic presentation by the 3 Government of Northwest Territories. 4 5 6 SOCIOECONOMIC - PRESENTATION BY GNWT: 7 MR. SHAFIC KHOURI: Mr. Chair, Shafic, Government of Northwest Territories. As I mentioned 8 9 before, I work with the Department of Environment and Natural Resources. Before passing the mic, I would 10 like to introduce my colleagues who are here with us 11 12 today. 13 We have Lisa Cardinal, Director of 14 Corporate, Reporting, and Evaluation, Department of 15 Health and Social Services; Rita Mueller, Chief Executive Officer, Tlicho Community Services Agency; 16 Laurie Morin, Director of Advanced Education, 17 18 Department of Education Culture Employment. And we 19 have both Amy Lizotte, Land and Environmental Affairs 20 Specialist; and Brittany Shuwera, Initiatives Analyst 21 from the Department of Industry, Tourism, and 22 Investment. 23 I will now pass the microphone over to 24 Rita Mueller to begin the presentation. Thank you very 25 much.

225 1 MS. RITA MUELLER: Good afternoon, Mr. Chair -- Chairperson, and also the panel and all the 2 participants. I need to begin by putting in a -- a 3 declaration of conflict of interest. 4 5 I am currently a sitting member of the 6 Wek'eezhii Land and Water Board and have been now for four (4) years. And so if in the future this file does 7 come before the Wek'eezhii Land and Water Board, 8 9 because I have declared conflict of interest, I will 10 not be part of any of that discussion. 11 My role today is as the Chief Executive 12 Officer for the Tlicho Community Services Agency in 13 representing health and child and family services today. The GNWT and the TCSA, Tlicho Community 14 15 Services Agency, recognize that the health and wellness 16 of the individuals and families within our region is fundamental for any kind of socio and economic 17 18 sustainability within our region. 19 And in order to pro -- promote and 20 protect a stable workforce, a healthy workforce, and 21 the family structure within our Tlicho region, the GNWT 22 and the TCSA interests are in reducing any of the 23 potential negative impacts that this project could 24 possibly cause. 25 There have been initial discussions

226 already between the GNWT and Fortune Minerals. And in 1 those initial discussions there have been a number of 2 commitments that have already been made, and all of 3 those are on public record. 4 5 Some of the possible impacts that have 6 been brought up as concerns include the spread of 7 diseases due to the dense population of those living quarters in that -- in that particular situation as 8 9 well as the limited options of healthy eating at the camp as a possible -- possibility. 10 11 The commitment from Fortune Minerals, as 12 we understand it, would be that they would require all 13 employees to provide proof of receiving their vaccination schedule as well as TB testing; that the 14 15 foods available at the camp for all employees and their 16 staff would actually be promoting healthy living and that it would also provide foods appropriate for 17 18 employees, not only with -- that are diabetic, but also 19 that may have other chronic diseases; and also that 20 Fortune Minerals has committed to ensuring that they 21 will comply with disease surveillance regulations as --22 as required. 23 The next slide. As well, issues that 24 have been raised already today certainly and -- and in

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-- in the past are the possible impacts of increased

1 drug and alcohol use within the communities, as well as
2 then the potential of a family break -- breakdown or
3 erosion, and perhaps an increase of family violence
4 within the family structure.

5 The commitment that the -- the TCSA and 6 the GNWT understand from Fortune Minerals is that they 7 do plan on providing to all their employees assistance in the way of a family assistance program for their 8 9 employees and to family members; and that they will also be supporting programming related to drug or 10 11 alcohol as required; and also that they will be 12 supporting prevention and awareness programming; and 13 even on site, that there will be information and 14 awareness for the variety of GNWT programming available 15 to their employees and to residents within the communities. 16

17 As well, something that has been raised 18 from a health perspective, in particular for the 19 community of Whati, in that health centre, is will -will there be added stress to that small health centre? 20 21 And again, what has been outlined or 22 identified is that emergency medical response team and 23 personnel will be on the site 24/7 to be able to 24 address any kind of health-related emergency and that 25 the plan would be to evacuate anyone that is injured or

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in need of being evacuated using the Whati Airport to 1 the Yellowknife Stanton Territorial Hospital, if that 2 3 type of treatment or care is required. 4 5 (BRIEF PAUSE) 6 7 MS. LAURIE MORIN: Laurie Morin, from the Department of Education, Culture, and Employment. 8 9 The first part of this slide represents the NWT labour market as of July 2012 from STATS Canada. 10 11 As you can see, twenty-five thousand 12 four hundred (25,400) represent the labour force age 15 13 and over who are employed and those who are unemployed and are looking for work. Of those in the community, 14 15 96.5 percent are Aboriginal people. The sixty-six 16 hundred (6,600) represent those who are not in the labour force for a certain reason, like they're retired 17 18 or they're home with their children or they're 19 students. The last two (2) bullets are from the 20 most recent NWT community survey that took place in 21 22 2009. This survey provided the information about the 23 percentage of people in the NWT who are willing to do 24 rotations, and that was 57.1 percent. 25 The GNWT wants to see maximum benefits

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from resource development projects for the people of 1 the Northwest Territories. Those benefits include 2 education, training, employment, as well as the support 3 and the preservation of the residents' culture and 4 5 heritage. It's important that residents are aware and 6 able to take advantage of project-related opportunities that will benefit individuals and their families and 7 their community. 8 9 It is also important that we work in partnership -- the GNWT, Aurora College, industry, the 10 11 Tlicho government -- identifying educational and 12 training needs so a work-ready labour force can be 13 developed and maximized. 14 We want to ensure that we create a 15 sustainable Northern employment in all sectors. It's 16 important that potential barriers, training needs, and 17 required skills are shared continuously. I'm having 18 trouble reading my own writing. This ensures the 19 development of a Northern workforce and less reliance 20 on Southern hires. Thank you. 21 22 (BRIEF PAUSE) 23 24 MS. BRITTANY SHUWERA: Good afternoon. 25 My name is Brittany Shuwera, and I'm here representing

230 the Department of Industry, Tourism, and Investment, or 1 2 ITI. 3 ITI is responsible for the overall coordination of GNWT efforts related to the 4 5 socioeconomic agreements, including negotiation and ongoing implementation. Our portion of the 6 7 presentation includes details on what the project means for the Northwest Territories, why a follow-up program 8 9 is advisable, and then we'll finish with our socioeconomic recommendation to the Board. 10 11 The most recent estimates indicate that the Nico deposit features 33 million tonnes of reserves 12 13 which are valued at approximately 4.4 billion US dollars. These reserves will con -- will contribute to 14 15 a mine life of at least eighteen (18) years. The Nico 16 Project is one (1) that will potentially impact all 17 residents in the NWT. 18 The GNWT is encouraged by measures 19 Fortune has in place to ensure negative impacts of the 20 development are mitigated. These include working with 21 local business to help build capacity and maximize 22 opportunities, establishing a socioeconomic monitoring 23 plan, and committing to collect and public report 24 annually on several socioeconomic indicators.

25 In our technical report the GNWT

highlighted several areas of uncertainty in the Nico 1 Project, including some areas where we though more 2 information was needed. The GNWT met with 3 representatives of Fortune Minerals earlier this week 4 5 on August 28th and were able to resolve many of our 6 outstanding socioeconomic issues. 7 However, we would still like to emphasize the importance of implementing a follow-up 8 9 program to monitor socioeconomic impacts over the life 10 a mine. This ensures appropriate mitigative and 11 adaptive measures are in place to address impacts that 12 could change over time. 13 There are four (4) mines currently 14 operating in the NWT; three (3) of them have a 15 socioeconomic follow-up program in the form of a 16 socioeconomic agreement in place with the GNWT. Cumulatively, these three (3) mines have achieved 51 17 18 percent Northern employment and 73 percent Northern 19 purchasing. 20 The mine that does not have a 21 socioeconomic follow-up program has reported little to 22 no NWT residents employed and little to no purchases 23 within the NWT. The significance of this development 24 and the uncertainties associated with the predictions 25 reinforces the need for a socioeconomic follow-up

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program. 1 2 The GNWT views follow-up programs as an essential tool to test socioeconomic predictions, 3 evaluate successes, and identify gaps where predictions 4 5 are not met. The success of SEAs, or socioeconomic 6 agreements, becomes a best practice for new development 7 projects. 8 The GNWT suggests that an effective 9 follow-up program should focus on accountability and 10 adaptive management processes where mitigation measures 11 can be refined over time. It should be designed in a 12 way to assess the effectiveness of mitigation, support 13 adaptive management, and remain in place for the life 14 of the project. As we noted in the last slide, an 15 effective follow-up program is imperative in the 16 development of any mine. 17 Fortune's response to decline a 18 socioeconomic agreement with the GNWT at this time 19 further illustrate the important of having an effective 20 follow-up program to ensure socioeconomic well-being of 21 NWT residents is protected. The GNWT therefor 22 recommends that a follow-up program in the form of a 23 socioeconomic agreement be a condition of project 24 approval. 25 This agreement would be between Fortune

Minerals and the GNWT and reflect all of Fortune's 1 commitments to mitigate socioeconomic impacts to 2 residents and communities of the NWT. 3 4 5 (BRIEF PAUSE) 6 7 MS. BRITTANY SHUWERA: And that concludes the GNWT portion of our presentation. 8 9 QUESTION PERIOD: 10 11 THE CHAIRPERSON: Okay. Thank you. 12 Thank you for your presentation. I'm going to go --13 ask to turn on the lights. Before I go to the 14 questions for your presentation, I just want to make a 15 quick announcement. 16 As you know this morning I mentioned that the -- I read out the agenda for the day and again 17 18 we ran into the problem of time and so -- and also this 19 morning I also acknowledged the dates for the allowing 20 for the additional day at the request from the Tlicho 21 government. 22 We -- we looked at it. We -- we've made 23 a ruling of it this morning, and we agreed to meet on 24 October 10th. Also, the Board added an additional day 25 on October 11th and, so the agenda that I'm looking at

1 for October 10th is that we start from 8:30 till 12:00 2 on October 10th. We'll break from 12:00 to 12:30, 3 start at 12:30 to 5:00.

That gives us eight (8) hours for that 4 5 And of that eight (8) hours for October 10th the day. 6 agenda will be for the Tlicho government on their TK 7 report we'll allow six (6) hours for presentation and 'Q' and 'A's, and the Nico Project access road I allow 8 9 two (2) hours for presentation and 'Q' and 'A'. 10 On October 11, 2012, the following day, 11 the -- we -- we'll start at 8:30 in the morning till 12 noon, and 12:00 till 12:30 for lunch, and then from 13 12:30 to 5:00, again giving us another eight (8) hours. 14 Then -- otherwise we could stay late, but we have 15 people that have to catch planes. 16 And we only allowed two (2) hours and 17 fifteen (15) minutes, according to the agenda we have 18 today, for the Elders. So on October 11, 2012, I would 19 like to dedicate that day to hear from the residents of 20 Behchoko and outlying communities. 21 So that way here everybody has an 22 opportunity to speak, and from the public at large, as 23 well. I want to allow that to happen at that day. And this here schedule I just read out is consistent to the 24 25 time that we had in the last two (2) days here, one (1)

1 day in Yellowknife and Whati.

2 So averaging all that out, it works out good that we do it this way. So I wanted to let you 3 4 know I'm just going to make this our agenda for the 5 record and we're going to go forward with that. 6 So I know that there's Elders here that want to speak, and I know it's Friday and that a lot of 7 people want to take off as well. So I just want to let 8 9 the Elders know that we'll dedicate one (1) full day 10 for those guys here on October 11. 11 So I just want to say I know the Elders 12 had travelled a long ways to come here, and I want to 13 say thank you for your time and -- and I want to -- we 14 appreciate it, but it's best that we do it this way so 15 that'll give you guys more time. So I want to say masi to the Elders. 16 17 So with that I want to continue on now 18 with questions to the GNWT on their presentation of 19 socioeconomic. And I want to go from the bottom of my 20 list of order. I want to go to Aboriginal Affairs and 21 Northern Development Canada. 22 MR. PAUL GREEN: It's Paul Green, with 23 Aboriginal Affairs. We have no questions. 24 THE CHAIRPERSON: Thank you. I want to 25 go to the North Slave Metis Alliance. Questions for

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the GNWT on the presentation? 1 2 MR. BILL ENGE: Thank you, Mr. Chairman. Bill Enge, for the North Slave Metis 3 4 Alliance. Yes, I have a question. I'd like to know if the Government of 5 6 the Northwest Territories is planning to consult with 7 the affected Aboriginal people about the content of the socioeconomic agreement that they are planning to 8 9 negotiate between themselves and Fortune Minerals. 10 Thank you. 11 THE CHAIRPERSON: Thank you. I'm going 12 to go to the Government of the Northwest Territories on 13 that question. 14 15 (BRIEF PAUSE) 16 17 MS. BRITTANY SHUWERA: BRITTANY 18 Shuwera, with the GNWT. We would just want to state 19 for the record that the GNWT remains open to consider discussion with other parties regarding a socioeconomic 20 21 agreement. Thanks. 22 THE CHAIRPERSON: Thank you. I'm going 23 to go to the North Slave Metis Alliance. One (1) of --24 question number 2 of three (3). 25 MR. BILL ENGE: Thank you, Mr.

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237 Chairman. The Government of the Northwest Territories 1 rep, Brittany Shuwera, has stated that the Government 2 of the Northwest Territories is open to hearing from 3 the affected Aboriginal groups, or parties, as she puts 4 5 it. 6 I would like to know if they had an idea in mind of how they would go about doing it. Thank 7 8 you. 9 THE CHAIRPERSON: Thank you. I'm going 10 to go to the Government of the Northwest Territories on 11 their presentation. A question to Mr. Enge -- from Mr. 12 Enge. 13 14 (BRIEF PAUSE) 15 16 MS. BRITTANY SHUWERA: Brittany Shuwera 17 with the GNWT. We currently don't have a plan for how 18 those discussions would take place, but we are open to 19 discussion. 20 THE CHAIRPERSON: Bill Enge...? MR. BILL ENGE: Thank you, Mr. 21 You know, it -- it all -- it -- it's quite 22 Chairman. 23 troubling to hear that the Government of the Northwest 24 Territories hasn't considered including or hearing from 25 the affected Aboriginal peoples whose lands -- or, who

238 -- who have traditional rights on these lands, such as 1 the Tlicho and the Metis -- North Slave Metis. And 2 this, I think, is a serious shortfall on their part. 3 4 And I -- I guess I'd like to know what -5 - what kind of a format they would -- they would see in 6 making sure that they have proper input from the affected Aboriginal peoples. 7 8 THE CHAIRPERSON: Thank you. 9 Government of the Northwest Territories...? 10 11 (BRIEF PAUSE) 12 13 MS. BRITTANY SHUWERA: Brittanv 14 Shuwera, with the GNWT. Again, we just want to restate 15 our original response, which is we remain open to 16 discussion with other parties, including Aboriginal 17 communities, regarding a socioeconomic agreement. 18 THE CHAIRPERSON: Thank you. And that 19 will conclude the North Slave Metis Alliance, correct? 20 Yes, or no? Yes? Thank you. 21 Okay. Thank you, Mr. Enge, for your 22 final question. But I just want to make sure and let 23 you people know that if you have more questions, if you could write it directly either to whoever's presenting 24 25 and -- and a copy to the Review Board so it's on the

registry, and then we'll wait for a reply on that as 1 well. So I just want to give people that option as 2 well. Thank you. 3 4 I'm going to go to the Yellowknives Dene 5 First Nation. 6 MR. TODD SLACK: Thanks, Mr. Chair. 7 Todd Slack, YKDFN. We have no questions. 8 THE CHAIRPERSON: Okay. Thank you. 9 I'm going to go to the Tlicho Government. 10 CHIEF CLIFFORD DANIELS: Masi, Mr. 11 Chair. Chief Clifford Daniels, Tlicho government. Can 12 you -- the presenter, can you provide and describe some 13 specific training and programs that would benefit the Tlicho people, and also to follow-up on that, and how 14 15 many of those programs are community based? Masi. 16 THE CHAIRPERSON: Thank you, Chief Daniels. GNWT...? 17 18 MS. LAURIE MORIN: Laurie Morin, 19 Education, Culture, and Employment. The department 20 does work with Aurora College and the Tlicho government 21 and other -- and industry and community organizations 22 to develop programs and services. What's -- what's 23 available within the community, in the community 24 learning centres include things like adult basic 25 education and literacy. Apprenticeship programs are

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available in Smith. 1 2 Specifically, I'm unable to answer what is available in the community and what is going to be 3 available in the community, because it will be based on 4 5 what is needed. So could I put it on record that this could be answered later? 6 7 THE CHAIRPERSON: Thank you. I'm going to go to Chief Daniels. 8 CHIEF CLIFFORD DANIELS: Yes, we'll 9 10 accept that. And no further questions. Masi. 11 THE CHAIRPERSON: Masi, Chief Daniels. 12 I'm going to go to Fortune Minerals Limited. Any 13 questions? 14 MR. PAT MOLONEY: Pat Moloney, with 15 Fortune Minerals. No questions. 16 THE CHAIRPERSON: Thank you. I'm 17 going to go to my far right, John Curran, Board member, 18 questions? 19 Oh, sorry, staff. Mr. Donihee...? 20 MR. JOHN DONIHEE: Thank you, Mr. 21 Chairman. John Donihee, for the Review Board. I understand that GNWT has broached the subject of a 22 23 socioeconomic agreement with Fortune Minerals, but at 24 this point the Company has indicated that it doesn't 25 see the benefit of the SEA that you're -- you've been

talking about in -- in this presentation. 1 2 Is that -- is that correct? 3 THE CHAIRPERSON: Thank you, Mr. 4 Donihee. I'm going to go to the GNWT. 5 MS. BRITTANY SCHUWERA: Brittany 6 Schuwera with the GNWT. As far as I know that's not Fortune's current posis -- position. They've stated, 7 for the record, that they've declined an agreement at 8 9 this time with the GNWT, but as far as I know they do 10 remain open to it with the Tlicho government. And as 11 far as I know, that conversation has not closed 12 completely at this time. 13 THE CHAIRPERSON: Thank you. Mr. 14 Donihee...? 15 MR. JOHN DONIHEE: Thank you, sir. 16 John Donihee. I -- I don't really understand all of 17 your answer. You said they do remain open to it with 18 the Tlicho government. I thought you were talking 19 about a socioeconomic agreement between the Government 20 of Northwest Territories and the mining company. 21 THE CHAIRPERSON: Thank you, Mr. 22 Donihee. GNWT...? 23 MS. BRITTANY SHUWERA: Brittany 24 Shuwera, with the GNWT. Our formal recommendation to 25 the Board is that a socioeconomic agreement is a

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condition of project approval. I don't presume to 1 state Fortune's stance on a socioeconomic agreement for 2 the record. I will leave that up to them. Thank you. 3 4 THE CHAIRPERSON: Thank you. Mr. 5 Donihee...? 6 MR. JOHN DONIHEE: Thank you, sir. 7 John Donihee. You still haven't answered my question or helped me. Is the Government of Northwest 8 9 Territories proposing that there should be a 10 socioeconomic agreement between GNWT and the Company? 11 THE CHAIRPERSON: Thank you. And I'm going to ask that -- it's -- it's a "yes" or "no" 12 13 question. Thank you. 14 MS. BRITTANY SHUWERA: Brittany Shuwera 15 with the GNWT. Yes. 16 THE CHAIRPERSON: Thank you. Mr. 17 Donihee...? 18 MR. JOHN DONIHEE: John Donihee. Thank 19 you for your help, Mr. Chairman. 20 Okay. And so now we also have your recommendation that there should be a socioeconomic 21 22 agreement between the GNWT and the Company as a 23 condition of project approval and before the water 24 license should be issued. That was what your last 25 slide said.

1 And -- and my understanding of the way that the Mackenzie Valley Resource Management Act works 2 is that for the Board to be able to make a 3 recommendation like that it's going to have to find 4 5 that there would be a significant environmental impact. 6 Environmental impacts include socioeconomic impacts. And so my question is: Is it the Government of 7 Northwest Territories' position that without a 8 socioeconomic agreement there will be significant 9 10 socioeconomic impacts from this project? 11 THE CHAIRPERSON: That's a good 12 question. I want you to think about it and I want you 13 to answer it. Thank you. 14 15 (BRIEF PAUSE) 16 17 MS. AMY LIZOTTE: Amy Lizotte, with the 18 The purpose of the follow-up program is to GNWT. 19 ensure that there isn't significant environmental 20 socioeconomic impacts. And that's why we would like to 21 have a follow-up program in place. 22 MR. JOHN DONIHEE: John Donihee, for 23 the Board. We have a bit of a Catch 22, don't we. I 24 guess that's fine. I'll -- I'll just leave it there. 25 Thank you very much.

244 1 2 (BRIEF PAUSE) 3 4 THE CHAIRPERSON: I was thinking about 5 that question, and I wonder if that requires an undertaking, Mr. Donihee. 6 MR. JOHN DONIHEE: John Donihee. Well, 7 Mr. Chairman, as I heard the answer, they just said 8 9 that they think that the agreement might be one (1) 10 mechanism to avoid significant impacts. I'm sure there are others. But, you know, it's the GNWT's case to put 11 12 forward here. They made a recommendation. I've just 13 asked them whether in fact they believe there's 14 evidence to support that recommendation and the answer 15 that I heard is "no." 16 THE CHAIRPERSON: Thank you. And I'm going to go back to GNWT. Is that a "yes" or "no"? 17 18 Thank you. 19 20 (BRIEF PAUSE) 21 22 MS. AMY LIZOTTE: Amy Lizotte, with the 23 GNWT. Essentially, it's difficult to say "yes" or "no", and -- because it's uncertain at this time. 24 25 That's why we would recommend a follow-up program.

THE CHAIRPERSON: Still not good 1 enough. I want a "yes" or a "no". And if it's "no" I 2 want you to explain. Thank you. 3 MS. AMY LIZOTTE: Amy Lizotte, with the 4 5 GNWT. Any project of this size has the potential to 6 have significant socioeconomic impacts, so, "yes". 7 THE CHAIRPERSON: Thank you. Okay. I'm going to go to Board member John Curran. 8 9 MR. JOHN CURRAN: Thank you, Mr. 10 Chairman. Just a couple of quick questions. I know you provided some labour market information. I don't 11 12 see any economic information at all. But let's start with the labour market 13 14 stuff. What percentage of the -- the labour market is 15 currently employed within the mining industry, or the 16 secondary service providing industries that serve the mining sector specifically? 17 18 THE CHAIRPERSON: Thank you, John Curran, GNWT...? 19 20 MS. LAURIE MORIN: Laurie Morin, ECE. 21 I can't answer that question. I'm sorry, I don't know. 22 THE CHAIRPERSON: Just before we go 23 back to John Curran, I don't like the word "don't". 24 It's either "yes" or "no". So anyways, thank you. 25 John Curran...?

1 MR. JOHN CURRAN: Thank you, Mr. Chairman. Maybe we'll try in another door. In terms 2 of the -- the economy of the NWT, for the person from 3 ITI, can you tell the -- the people here, for the 4 5 record, what percentage of the economy is related to 6 mining or the secondary service provision that serves 7 the mining industry here in the NWT? Thank you. 8 THE CHAIRPERSON: Thank you. GNWT...? 9 10 (BRIEF PAUSE) 11 12 MS. BRITTANY SHUWERA: Brittany 13 Shuwera, with the GNWT. Unfortunately we don't have 14 that exact information on hand right now, and I'm not 15 even sure that it does exist. If you do need it we can 16 certainly look into it further. 17 But we can tell you that of the three 18 (3) diamond mines that are currently in operation, 73 19 percent of their business is going to the NWT business 20 community. So does that help to clarify? 21 THE CHAIRPERSON: Okay. Thank you. 22 Then you have that information. So maybe what we could 23 do is we could take that as an undertaking as well 24 then. 25 Mr. Donihee, we could probably have that

submission the same time as the other dates we 1 2 proposed. 3 MR. JOHN DONIHEE: Mr. -- it's John Don -- John Donihee. I'm just not sure what -- could you 4 just be clear about what -- what it was that you 5 6 offered to provide in response to Mr. Curran's 7 question, please? 8 THE CHAIRPERSON: GNWT...? 9 MS. BRITTANY SHUWERA: Brittany 10 Shuwera, with the GNWT. Could get Board Member John Curran to just repeat his question, please. 11 12 THE CHAIRPERSON: John Curran...? 13 MR. JOHN CURRAN: Gladly. I think we 14 will maybe repeat them both: Percentage of labour 15 market involved in mining and -- and secondary 16 industries, as well as percentage of -- of economic 17 activity related to mining and secondary industries. 18 THE CHAIRPERSON: Okay. Thank you. 19 I'm going to the GNWT and that would be the 20 undertaking. We just need to agree on the date. 21 Mr. Donihee, the dates that we talked 22 about for earlier --23 MR. JOHN DONIHEE: The 14th. 24 THE CHAIRPERSON: The 14th. But I'm 25 going to go to the GNWT before Donihee looks at the

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1 dates. 2 MS. BRITTANY SHUWERA: Brittany Shuwera, with the GNWT. We accept those both as an 3 undertaking and we can provide that to the Board I -- I 4 5 believe next week is the date for that. 6 MR. JOHN DONIHEE: Certainly, that's 7 fine. It's John Donihee. The end of next week, next Friday, is that -- thank you. 8 9 10 --- UNDERTAKING NO. 4: GNWT to indicate percentage 11 labour market involved in 12 mining and secondary 13 industries, as well as 14 percentage of economic 15 activity 16 17 THE CHAIRPERSON: Okay. That would be 18 September 7th then, end of the business day. Thank 19 you. 20 Mr. John Curran...? 21 MR. JOHN CURRAN: I'd just like to thank the fine representatives of the Government of the 22 23 Northwest Territories for enriching this process. 24 THE CHAIRPERSON: Thank you. I'm 25 going to go to Mr. James Wah-shee, Board Member.

1 MR. JAMES WAH-SHEE: Thank you, Mr. I'd like to thank the GNWT for their 2 Chairman. presentation and points of clarity. Thank you. 3 4 THE CHAIRPERSON: Thank you. Mr. 5 Richard Mercredi, Board Member...? 6 MR. RICHARD MERCREDI: No questions. 7 Thanks for your presentation. 8 THE CHAIRPERSON: Thank you. Mr. 9 Danny Bayha, Board Member...? 10 MR. DANNY BAYHA: Thank you. I hope my question is not as tough as our staff. So, earlier we 11 12 -- you seen the presentation on -- today on closure. 13 As you know, whenever any development happens there's a 14 cycle it goes through, boom and bust cycles. And --15 and we have small communities near this development. 16 Have you give any thought to the bust 17 cycle of this program, that we may be helping the 18 communities in terms of -- I know there's training, 19 there's other mines, there's other infrastructure 20 that's happening in surrounding, but I'm just wondering 21 -- I'm curious is if there was any thought given to 22 this aspect of this program. Thank you. 23 THE CHAIRPERSON: Thank you. GNWT...? 24 25 (BRIEF PAUSE)

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1 MS. BRITTANY SHUWERA: Brittanv Shuwera, with the GNWT. We'll have a two (2) part 2 answer for you. The first part, we just want to put on 3 the record when we met with Fortune Minerals on 4 5 Tuesday, we were able to confirm with them that -- that they committed to formalizing socioeconomic measures in 6 their Closure and Reclamation Plan. And some of those 7 were listed in the commitments table that they 8 9 provided, and those numbers are 16.17 and 16.20. 10 If you want, I can read them out for 11 you, but they are listed in the commitments table, and we were able to confirm that those measures are going 12 to be included in the Closure and Reclamation Plan. 13 14 And I'll pass the microphone to Laurie Morin. MS. LAURIE MORIN: 15 Finally -- Laurie 16 Morin, Education, Culture, and Employment. Finally a 17 question I can answer. The Department of Education is 18 developing financial literacy modules to help residents 19 in the Northwest Territories manage their money. 20 They're going to be part of the adult 21 learning and basic education modules that can also be 22 delivered separately. And in it, it addresses 23 financial planning and what -- what happens when 24 there's a reduction of income and your relationship 25 with money.

There's -- there's approximately eleven 1 2 (11) modules that cover everything from gambling to saving for your children's education. So that's one 3 (1) of the things that education is doing to help 4 people plan for that kind of a situation. 5 6 THE CHAIRPERSON: Thank you. I'm 7 going to go to Board member Danny Bayha. 8 MR. DANNY BAYHA: Yeah, thank you for the answer. And I certainly would like to encourage 9 the GNWT's efforts in trying to work with communities 10 as well as the Company and the rest of the residents to 11 12 make sure that this program works. 13 And -- and I'm really glad that you guys 14 participated and hope to see you again -- again, maybe 15 even follow-up comments or a presentation on the two 16 (2) final days of these hearings. Thank you. 17 THE CHAIRPERSON: Thank you, Mr. 18 Ms. Rachel Crapeau, Board member...? Bayha. 19 MS. RACHEL CRAPEAU: Thank you, Mr. 20 Chair. No questions at the -- the present time. 21 THE CHAIRPERSON: Thank you. Board 22 member Percy Hardisty. 23 MR. PERCY HARDISTY: Masi, Mr. Chair. 24 I have no particular questions at the moment. 25 Thank you. THE CHAIRPERSON: Okay. Ι

want to thank the GNWT for coming in to do your 1 presentation, even though that -- well, we had some 2 tough questions, but as -- it's our job as to do that, 3 4 you know, making sure that we look for balance. And so 5 I want to say thank you very much for coming in to do 6 your presentation. 7 With that I'm going to stop for five (5) minutes then the North Slave Metis Alliance is going to 8 9 do their presentation next. We'll take a five (5) minute break. 10 11 12 --- Upon recessing at 3:31 p.m. 13 --- Upon resuming at 3:43 p.m. 14 15 THE CHAIRPERSON: Okay. Thank you. 16 I'd like to get everybody to sit down. And also when 17 people are doing their presentation, just because we 18 don't have cell phones here, that's great, but anybody 19 talking in the back, it show -- to show respect, you 20 know, it would be nice to take your discussion outside 21 and then allow the presenters to present. 22 So I'm going to go to North Slave Metis 23 for your pres -- presentation, and the final 24 presentation of the day. 25

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SOCIOECONOMIC - PRESENTATION BY NORTH SLAVE METIS 1 2 ALLIANCE: 3 MR. BILL ENGE: Thank you, Mr. Bill Enge, here, with the North Slave Metis 4 Chairman. 5 Alliance. Again, I thank the Board for the opportunity 6 to speak to this matter on this, the final day of a 7 very long week, on the public hearing regarding the Nico Project. 8 The NSMA is always ready, willing, and 9 10 able to consult on projects such as this one. However, as with all the elements of the Nico Project which have 11 12 been discussed this week, we can't have a fully 13 informed opinion about the Nico Project as it -- as its 14 socioeconomic impacts on our community, because there's 15 not been adequate consultation with our organization to 16 date. 17 Now let me just frame that in context. 18 Five (5) years ago, the North Slave Metis Alliance and 19 -- was contacted by representatives from Fortune 20 Minerals in regard to the Nico Project. This contact resulted in myself and the board of directors taking a 21 22 trip out to the Nico Mine site to see what it was 23 about. We had a tour. 24 The NSMA had several subsequent meetings 25 with Fortune Mineral representatives about the project.

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1 And then -- and during this period of time, the North 2 Slave Metis Alliance informed Fortune Minerals that the 3 members and the organization had to benefit from this 4 project, as it's in -- on their traditional lands and 5 in their backyards, lands that we share with the Tlicho 6 people.

7 With that understanding, two (2) things Fortune Minerals agreed to fund the North 8 happened. 9 Slave Metis Alliance to do a traditional knowledge and traditional land use study, which unfortunately, due to 10 capacity issues, hasn't been completed. But we have 11 12 made a commitment to get it on to the public registry 13 by September 15th. We are working on this now. 14 And last November, we -- the last time I 15 met with representatives of the Fortune Minerals 16 contingent, we agreed to negotiate and sign a 17 memorandum of understanding, which would be the basis 18 by which we would proceed to an impact benefit 19 agreement. And that's the understanding we had. 20 Well, since last November, due to 21 mitigating circumstances, as what Fortune Minerals has

22 informed us through a letter -- they responded to -- to 23 a letter we sent to them and put on the public 24 registry, this MOU was never signed or put together. 25 Now the -- the situation between the

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North Slave Metis Alliance and Fortune Minerals is 1 stalled. And once again, I can't -- I'll not try to --2 I can't blame Fortune Minerals for the entire problem 3 here with the -- the information we need to proceed in 4 a proper fashion, because the North Slave Metis 5 6 Alliance hasn't lived up to one (1) of the commitments we made, which was to get the traditional knowledge 7 study and land use study into their hands. It's been 8 9 in the works for two (2) years. And as I said, we've 10 had capacity issues which has led to that delay. 11 However, today, as I heard what some of 12 the work that Fortune has been doing in -- in regard to 13 working with First Nations Aboriginal groups -- and 14 quite frankly, I was taken aback at the level of 15 consultation and accommodation and the work they've

16 done with the Tlicho in regard to business and 17 employment opportunities.

And, secondly, the fact that they're working diligently with the Akaitcho or Yellowknives, who have taken a position, as one and all has heard here, that as far as they're concerned, the Nico Project is a matter for the Tlicho, as it falls out -as it falls within their settlement area. And they kind of take a standoffish position.

25 The North Slave Metis people do not take

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that position, because as far as we're concerned, we 1 have outstanding Aboriginal rights and title on these 2 settlement lands that still need to be addressed. 3 Now that being said, the North Slave 4 5 Metis Alliance is looking for ways and means to turn 6 this situation around, and this is the forum for that. 7 Now, we have some concerns. Fortune's project, as proposed, will have a significant, 8 9 irreversible effect on the well-being of the North 10 Slave Metis community. There is a high probability of destruction, damage, and appropriation of Metis 11 12 heritage resources at the mine site. 13 Traditional knowledge: In that respect, 14 a brief word on the importance of it in regard to the 15 project area. The Nico Project is located near the 16 community that was once known as Lac La Martre. The 17 community is part of the Metis ethnic history. 18 Lac La Martre was significant when the 19 coureur des bois first arrived in the Great Slave Lake 20 area. The 21 coureur des bois were some of the first Europeans to 22 arrive, even before the fur trade was established, and 23 they planted the first seeds for the Metis community 24 that exists in this Great Slave Lake area today. 25 Francois Beaulieu the Second, a very

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famous Metis person that's recognized by the Canadian 1 government through the Heritage Canada, is one of the 2 founding fathers of the Metis community of the Great 3 Slave Lake area, and he is a dir -- and I am a direct 4 5 descendant of Francois Beaulieu the Second. Francois 6 Beaulieu came about as a consequence of those French travellers here. 7 8 Lac La Martre is an important part of 9 the Metis heritage. Francois Beaulieu the Second 10 traded at Lac La Martre in the eight (8) -- in the early 1800s. He supplied products to Fort Rae, Old 11 Fort Rae as it was known then, and is listed in the 12 Fort's books. 13 14 Beaulieu the Second was given much more 15 credit for both furs and meat than any of the other 16 Indians, as they were called then. Metis were known as Indians then too, and described in the Hudson Bay 17 18 Company and Northwest Company records. 19 It is highly likely that the Metis --20 that Metis heritage resources exist in the area of the 21 Nico Project and its roads and areas of impact, and 22 this heritage is either undiscovered, undervalued, and 23 it needs to be handled properly.

24 The Nico Project includes a 27-kilometre 25 all-season corridor to accommodate a 6-metre-wide

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gravel access road which is expected to connect to a 1 hypothetical new road between Behchoko and Gameti. And 2 I call it hypothetical because it hasn't been approved 3 and it hasn't gone through yet. 4 5 The Tlicho land use planning process, 6 which is underway, is expected to determine the route and timing of this hypothetical new road. This 7 planning does not include the North Slave Metis people; 8 9 one (1) that we take exception to. 10 It's estimated that five (5) B-trains a 11 day of concentrate will head south, while four (4) 12 truckloads a day of supplies will head north. Stream 13 crossings for the access road will be all -- all 14 culverts except for one (1) bridge over the Marian 15 River. 16 At this point, information is still being collected regarding NSMA members history in the 17 18 area of the Nico Project. Because of the inadequate 19 consultation regarding the Nico Project, we don't know 20 what steps, if any, are being taken to identify and 21 preserve our members' heritage. 22 Fortune did receive a summary 23 presentation of the archival research done by the North 24 Slave Metis Alliance for its traditional land use and 25 knowledge study. At this point, I'd like to remind the

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Board of our request that the public registry be kept open until September 15th so that the NSMA can submit its traditional knowledge report.

Also it appears to us that Fortune proposes to discriminate unjustifiably against the North Slave Metis in favour of the Tlicho. For example, they inform us via a letter, which is on the Board's registry, that they shall not engage with us until after they have finished discussing with the Tlicho an impact benefit agreement.

We may not have been as visible as other Aboriginal groups, but our community survives. And Canada's constitution provides in Section 35 that we, Metis, hold aboriginal rights. Our members exercise their aboriginal rights in the area north of Great Slave Lake, and that includes the area of the proposed mine site.

18 The NSMA's mandate and the one (1) that 19 I carry with me to this Board today and this hearing is 20 to advocate for our members' rights, and that is what 21 I, as president, must and am doing.

This project will last long enough to adversely impact the next generation of metis children from learning about this land from their Elders. It is exceptionally difficult to recover lost traditional

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knowledge once the chain of transmission has been 1 2 broken and the land altered. These adverse impacts could be irreversible if not very carefully managed and 3 mitigated. The well-being of the North Slave Metis 4 5 community deserves to be monitored just as well as the well-being of any of the other sensitive and threatened 6 7 populations, namely, the Tlicho people. Furthermore, the North Slave Metis 8 9 deserve a fair and equitable share of the benefits of 10 development on -- of our lands and resources, just as our Tlicho counterparts do, so that we too can thrive, 11 12 so that we too can benefit from the resources on our traditional lands. 13 14 Currently, although negative impacts to 15 both are certain, there is no guarantee that there will 16 be any benefits to the North Slave Metis Alliance 17 members at this time. In fact, none of the North Slave 18 Metis community-owned businesses have been listed or 19 cited by the proponent today. This is unjust. We have businesses. We've informed Fortune Minerals' 20 representatives that we have businesses. They've been 21 to our office. I've talked to them about businesses 22 23 personally, but yet no substantial work in that area 24 has been done. 25 It is very harmful economically and

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culturally to the North Slave Metis Alliance community 1 well-being to have their heritage resources damaged, 2 destroyed or appropriated. It is also very distressing 3 to the North Slave Metis Alliance to know that a land 4 use planning process is underway on our traditional 5 territory without our involvement because this 6 7 interferes with our inherent right of selfdetermination. This interferes with our aboriginal 8 rights as protected under the constitution of this 9 10 country. This must not be allowed to happen. 11 In conclusion, the North Slave Metis 12 Alliance is ready and willing to consult about these 13 and other adverse impacts on our members' rights. But 14 to date, there simply hasn't been adequate consultation 15 with the North Slave Metis Alliance about this project. Information is missing. There's large gaps that need 16 17 to be filled.

18 We are not comfortable at this time with 19 the status of the situation. Required predictions have not been made and considered. Cumulative effects are 20 21 not adequately assessed. For these reasons, the North 22 Slave Metis Alliance is forced to say that we recommend 23 that the Nico project go to an environmental impact 24 review so that our rights-bearing members will have the 25 information they need to form an offi -- an -- an

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informed opinion on the mine and how to manage the 1 2 adverse impacts on their aboriginal rights. 3 In -- in closing, again, I want to say that the North Slave Metis Alliance wishes to see 4 5 benefits flow to its members when developments of this magnitude are contemplated in this forum. We have 6 7 experience with mines. This is not our first time to the dance. There are three (3) diamond mines operating 8 9 on our traditional lands right now. And we can empathize with our Tlicho counterparts as to what kind 10 11 of effects have been happening. 12 Both the Tlicho and the North Slave 13 Metis Alliance have impact benefit agreements with the diamond mines. Some of the conditions that were 14 15 contained in those impact benefit agreements have not 16 been respected. 17 Especially frustrating is the employment 18 aspect that was pointed out and questioned by some of 19 the Board members here today. Let me tell you one (1) 20 of the things that ha -- that give us a lot of problems 21 is when apprenticeship positions come open. We have an 22 impact benefit agreement with one of the mines that 23 quarantees at least two (2) North Slave Metis Alliance 24 appretic -- apprentices will be at the site at all 25 times, but the problem is they won't tell us who -- who

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amongst the workers are North Slave Metis Alliance members, because they claim that would be a breach of their information -- privacy information rights. Not that we don't have talented educated ready and willing workers, we just don't know how to make sure that our members are getting those opportunities.

7 When it comes to management, I can tell you today there is not one (1) North Slave Metis 8 9 Alliance manager at any -- at -- at the BHP Billiton 10 diamond mine, not one. We are more than just workers; more than entry level people. But the opportunities 11 12 are not being afforded our people. Just like what Mr. 13 Wah-shee pointed out today. We need impact benefit 14 agreements that are a lot more water tight than the 15 ones we initially have with the mines that we've 16 learned from. We have to learn as we go along. 17 Now, it appears that Fortune Minerals is 18 willing to facilitate employment and business 19 opportunities for aboriginal groups, but I have to tell 20 -- I have to point out that I see almost like a higher 21 hierarchical order of things where Tlicho first, 22 aboriginal organization second and then northern businesses. 23 24 Well, I have to point out that the North 25 Slave Metis Alliance is not just an aboriginal group is

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1 this area. The North Slave Metis Alliance posses
2 Section 35 aboriginal rights to these lands and I know
3 it's a delicate balancing act for Fortune Minerals to,
4 on the one (1) hand, make sure that proper benefits
5 flow to the Tlicho because all the lands around the
6 Nico project are Tlicho settlement lands.

7 But at the same time, I urge Fortune 8 Minerals to consider the North Slave Metis Alliance as 9 an aboriginal rights holding organization and one (1) 10 that needs to be at the site in terms of employment and 11 business opportunities. We've always said that.

12 And the impact benefit agreements have 13 to be negotiated with the North -- with both the Tlicho 14 and the North Slave Metis Alliance in order to secure 15 and ensure that benefits flow to the affected 16 aboriginal peoples who are going to lose the 17 nonrenewable resources and riches of their lands. 18 That's only right and fair.

19 So again, I emphasize and I restate that 20 the North Slave Metis Alliance recommends to this Board 21 that they recommend to the minister that this mine go 22 to a full environmental review hearing so that all 23 those issues can be thoroughly examined and informed 24 consent be secured from all the aboriginal people 25 through the Tlicho and North Slave Metis and including

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the Yellowknives who are downstream of the contaminants 1 that are going to be going through the watershed. 2 3 So with that in mind, Mr. Chairman, I 4 conclude my remarks. Thank you. 5 6 QUESTION PERIOD: 7 THE CHAIRPERSON: Thank you. Could you turn on the power please? We don't have a copy of your 8 9 text. We'd like to have a copy of that for our record 10 as well. 11 You know, the Review Board's been in an 12 operation since the creation of the Mackenzie Valley 13 Resource Management Act going back to 1987, '88, and along the way, you know, they -- they established a 14 15 process as to how, you know, we conduct business. And, 16 you know, we -- we try our best to -- to follow that 17 process. We try our best to help educate the Developer 18 and the parties in this whole process. And, you know, 19 going forward I think, you know, that we have a process already in place on this file. 20 21 And everybody had an opportunity to 22 present their presentation to the Review Board in a 23 timely fashion. And -- and it's gone like this for other projects as well, and future projects. But the 24 25 thing is, is that, you know, this -- this presentation

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is supposed to be on socio -- socioeconomic. 1 And, you know, the other present -- presentation that was done 2 today was exactly on that. 3 4 And, you know, we also changed our 5 format this week, where -- where we had parties come in 6 and -- and governments as well, to state in the first three (3) to five (5) minutes exactly if they support 7 this project or not. And -- and, for the record, we 8 9 have it and it's there. 10 And so, when -- when I review this presentation, there is some different components in 11 12 here that are -- are partly related to the 13 socioeconomic of the agenda item we were talking about 14 and some are political statements and so on. Т 15 understand all that. 16 But, you know, I just want to make sure 17 that going forward, this is -- you know, our process is 18 -- is there and it needs to be respected as well, and 19 people need to follow it. And -- and next time, you 20 know, I'm going to call it. And if it's not there in 21 time, then it's not there. You know, we -- we can't --22 business has got to continue on. So I want to just 23 point that out and -- and it needs to be clear. 24 So with that, I'm going to go to 25 questions. Questions to -- to the parties that -- that

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the North Slave Metis had presented. I'm going to go 1 to Fortune Minerals. 2 3 Is there any questions for the North Slave Metis Alliance on their presentation? 4 5 DR. RICK SCHRYER: Rick Schryer, 6 Fortune Minerals. Thank you, Mr. Chairman. Just two 7 (2) quick points of clarification. 8 An MS -- NSMA representative, as 9 selected by the NMSA, did participate in one (1) of the heritage resource surveys conducted at the Nico site 10 11 and this -- the results of this survey are on the 12 public registry. 13 The second is to clarify our position 14 concerning the TK study and the MOU. We did feel it 15 was important that the NMSA submit their TK study 16 before we went into negotiations for a Memorandum Of Understanding. We understand that that will be done on 17 18 September 15th, and we feel that once we've reviewed 19 that study properly, we can proceed further with 20 negotiations. Thank you. 21 THE CHAIRPERSON: Thank you. Questions 22 for the North Slave Metis Alliance, I'm going to go to 23 the Tlicho government. 24 GRAND CHIEF EDWARD ERASMUS: Grand 25 Chief Eddie Erasmus, Tlicho government. No questions.

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268 1 THE CHAIRPERSON: Thank you. I'm going to go to the Yellowknives Dene First Nation, any 2 question for the North Slave Metis Alliance on their 3 4 presentation? 5 MR. TODD SLACK: Thank you, Mr. Chair. 6 Todd Slack, Yellowknives Dene. No comment. 7 THE CHAIRPERSON: Thank you. I want to go to the Government of the Northwest Territories. 8 9 MR. SHAFIC KHOURI: Mr. Chair, no 10 questions. Shafic, Government of the Northwest 11 Territories. 12 THE CHAIRPERSON: Thank you. 13 Aboriginal Affairs and Northern Development...? 14 MR. PAUL GREEN: Thank you, Mr. Chair. 15 It's Paul Green with Aboriginal Affairs. We have no 16 questions. 17 THE CHAIRPERSON: Thank you. I'm going 18 to go to the Review Board staff. 19 MR. JOHN DONIHEE: Thank you, Mr. 20 Chairman. John Donihee. There are no questions from Board staff. 21 22 THE CHAIRPERSON: Thank you. Every 23 time I go to my right side of my Board there's too much 24 questions, eh? I'm going to go to this side. I'm 25 going to go to Percy Hardisty, Board member.

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269 1 MR. PERCY HARDISTY: Mr. Chair, no 2 questions. 3 THE CHAIRPERSON: Thank you. Rachel 4 Crapeau, Board member? 5 MS. RACHEL CRAPEAU: Thank you, Mr. 6 Chair. No question at the moment. 7 THE CHAIRPERSON: Thank you. Board member Danny Bayha? 8 9 MR. DANNY BAYHA: Thank you. No -- no 10 questions. Thanks for your presentation. 11 THE CHAIRPERSON: Thank you. Richard 12 Mercredi...? 13 MR. RICHARD MERCREDI: No questions, 14 thanks for your presentation. 15 THE CHAIRPERSON: Thank you. Mr. James 16 Wah-shee...? 17 MR. JAMES WAH-SHEE: Mr. Chair, I just 18 want to thank them for their presentation. No 19 questions. Thank you. 20 THE CHAIRPERSON: Thank you. Mr. John 21 Curran...? 22 MR. JOHN CURRAN: Thank you, Mr. Chair. 23 Just having worked in other organizations that have 24 capacity issues, like many people in the North, I want 25 to thank Mr. Enge and his group for making

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presentations through this process. And no questions
 at this time.

3 Okay, thank you. THE CHAIRPERSON: I'm going to take this opportunity also to thank the 4 5 North Slave Metis Alliance, Bill Enge and Enge for being part of this process. And it's actually -- it's 6 welcoming to see you guys here, to see that there is a 7 process in place. And you know the -- the rules are 8 9 this. So I want to say thank you to -- for you guys to 10 come out and making your presentation here in the last 11 number of days.

12 This concludes the Nico Public Hearing in Behchoko, EA 0809-004. There is still a couple more 13 14 days yet in October 10 and 11. Normally we will have 15 closing comments by parties and -- and also the 16 Chairman. So we're going to hold off on that until 17 October 10 because on October 10th after the end of 18 that day, we're going to have our closing comments 19 then.

And also on the -- the October 11th, we had agreed to put a day aside to listen to the Behchoko and the Tlicho citizens on -- on their issues and concerns in regards to Fortune Minerals on October 11th, so that's it -- what we're -- we said we were going to do.

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271 1 So with that, I'm going to go -- it's appropriate when we do these kind of meetings, it 2 doesn't matter if it's this Board or if it's a -- an 3 assembly or anything like that, that we always go to 4 5 the host community. 6 And I just wanted to go to Chief Clifford Daniels. And then -- and also Grand Chief 7 Eddie Erasmus. I'm going to go to the Grand Chief to 8 9 Eddie -- Grand Chief Eddie Erasmus. 10 GRAND CHIEF EDWARD ERASMUS: Grand 11 Chief Eddie Erasmus, Tlicho government. Masi, Mr. 12 Chair. 13 It is good to hold these meetings in our 14 communities and -- and get the people, the general 15 public, Tlicho citizens, to see and hear these 16 technical discussions. We are not done yet and there is work to be done. There remains information gaps and 17 18 uncertainties. 19 This process is beginning to address 20 those gaps, and I am hopeful this will be cleared up. We are looking forward to a full search and discussions 21 22 about traditional knowledge. We have said that we hear 23 our own -- in a way we have our own view of the world, 24 that we are glad that we will get to share that view in 25 October.

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1 We acknowledge that our assembly members, Elders, citizens who are here to listen and we 2 know that they wish to speak. And I -- we are very 3 pleased to hear that the Review Board is setting all of 4 5 that October 11th day aside for public to be heard. 6 Masi cho. 7 And just to add I have an Elder here beside me that will do the closing prayer once we are 8 9 all completed with our closing remarks. Thank you. 10 THE CHAIRPERSON: Thank you, Grand 11 Chief Eddie Erasmus. Appreciate your comments and --12 and I'm looking forward to coming back in October. 13 Again, you know, it's always appropriate 14 to, first of all, thank the host, Chief Daniels again 15 for allowing us to come into your community and 16 allowing us to use your facilities here for this public 17 hearing. I want to say Masi. And to the Elders in 18 your delegation, thank you. 19 Also I want to take this time to also 20 thank our Board members. Again, it's been a long week. 21 Monday we were in Whati and then Tuesday we had 22 meetings in Yellowknife, and then Wednesday we had 23 meetings in Yellowknife, and then Thursday and Friday 24 we're here. And, you know, it seems like, you know, 25 any -- anytime you guys meet, you know, there's --

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there really is not a -- a perfect meeting because we 1 had delays in Whati, you know, we had weather problems, 2 we had equipment problems. In Yellowknife we had power 3 outages, things we don't plan for, you know, and also 4 5 the agenda then was laid out, you know, we really 6 didn't allow for more people to provide more questions. 7 So, you know, we could have probably spent another day just to really go through this. 8 But 9 -- well, I'm glad that we were able to agree and come 10 to -- allow for two (2) more days for this hearing. 11 So -- also, you know, sometimes, you 12 know, we see it, you know, as a former leader and 13 everybody around the table too as well, that sometimes, 14 you know, we -- we hear what people have to say in 15 terms of their -- their political statements and -- and 16 positions. And, you know, that's -- unfortunately 17 that's the way the business is. We have to respect our 18 -- our own process as well. 19 So like I said is that based on the 20 times that we had over the last four (4) days, I believe that the time frame that I mentioned this 21 22 morning, working out for October 10 and 11, I'm -- I'm 23 just going to reemphasize the -- the need to continue 24 to stick to the agenda and time frame. 25 And we'll be here, but we're going to

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1 start a little bit earlier and we're going to be here 2 for lunch, which will be half hour. So -- just so that 3 we are able to listen to the Elders and as mentioned 4 the Grand Chief.

5 So I just want to point that out. You 6 know, the Board members too, a lot of them travelled a 7 long ways to be here. Danny Bayha is from Dene, from the Sahtu region. Rachel Crapeau is from Yellowknife. 8 9 James Wah-shee is from Behchoko and Edzo. Richard 10 Mercredi comes from Fort Smith. John Curran, just recently lives in Yellowknife. Percy Hardisty lives in 11 12 Fort Simpson.

13 And so I want to let you know that and 14 also I want to thank the -- the developer, Fortune 15 Minerals. I want to thank you for your presentation 16 and we had a really good meeting and we got two (2) 17 more days coming up. I want to thank you and your 18 staff and all the presenters from the GNWT, AANDC, 19 Environment Canada, DFO. These are the people, you 20 know, that became party status to this whole process, 21 you know, the North Slave Metis, Fisheries and Oceans 22 Canada, Government of Northwest Territories, Transport 23 Canada, and Natural Resources Canada. A lot of those 24 guys made every effort to be here as well. I want to 25 say thank you and I want to wish you all a safe journey

1 home. 2 Also, without the translators, you know, it's always that -- we always recognize our 3 translators, regardless. You know, they made every 4 5 effort to be here and they're tired and so on, so I 6 want to say thank you to Mary Rose Blackduck, Peter 7 Huskey and James Rabesca. Masi. 8 Also -- also, Lorraine Douglas, our lady 9 on the side here, the one (1) that was yelling and saying your name and everything, you know, so I want to 10 say thank her -- or thank her as well for the 11 12 transcripts and it will be here in the next few days, 13 probably even Monday. I know those guys are really 14 good and they work quick. Also, without the sound, 15 Pido Production from Yellowknife, Pat Braiden in the 16 back, I want to say thank you for making your time available for -- for us. 17 18 Also, the local caterers that provided 19 food the last number of days here is Marlene Isadore 20 (phonetic) and also Lena Chocolate. I want to say thank you for your -- for the food. And also, you 21 22 know, the guys that run around the back, you know, 23 bringing out the tea, coffee, and -- and that are Richard Bishop, Gary -- Gary Woodsen (phonetic), and 24 25 William Macla (phonetic). I want to say thank you for

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your time too. Masi. 1 2 Also, you know, there was a lot of pressure on the -- on the Review Board too, as well. 3 You know, this meeting was -- wouldn't be possible if 4 5 it wasn't for our staff. And, you know, we always got 6 to recognize our staff as well, because it's important 7 that we do that. 8 And despite that, you know, we know have 9 another public hearing coming up in two (2) weeks in Yellowknife on Giant Mine, and so, you know, the next 10 couple of weeks -- next week we're going to be in Board 11 12 meetings. The week after that we're going to be back 13 in Yellowknife for a public meeting, so -- and then 14 probably three (3) weeks down the road, or four (4), 15 we'll be back here in Behchoko. So we're going to have 16 to take off our thinking hats, and from Giant Mine back 17 to this process again, so. 18 So it's a long weekend, too, as well, so 19 I think a lot people need a well-deserved rest. So I 20 just also want to just recognize that on the far side 21 here I got Vern Christensen, Alan Ehrlich, our legal 22 counsel, Mr. John Donihee. Chuck Hubert is also the 23 person that's in charge of this file, Paul Mercredi, 24 Simon Toogood, Shannon Hayden, Stacey Menzies, and 25 Cailin Makin and Travis Shendel -- Shindel (phonetic).

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1 But I just want to say, you know -- you know, these guys got here a day early. These are the 2 guys -- the ones that set the tables and all the food 3 and chairs and everything else in the community, so I 4 5 want to say thank you to my staff. Masi cho. 6 Also -- we also brought in help from the Wek'eezhii Land and Water Board staff. I want to thank 7 Brett Wheler and Kathy Racher. She's not here right 8 9 now. She's on her way down to Vancouver to pick up her 10 daughter. So again, you know, we rely on our sister boards to help us out and vice versa, you know. 11 So 12 it's always good to do that. So I want to say thank 13 you to them, as well. 14 With that, you know, I look forward to 15 your next meeting. And I believe -- I'm not sure if 16 you have an Elder that's going to do a present --17 closing prayer. 18 Okay. So I'd like to close this public 19 hearing on EA 0809-004 Nico project list -- project file until we meet and conclude on October 10th and 20 21 11th. And then we'll go from there. 22 Thank you very much and masi cho. 23 24 (CLOSING PRAYER) 25

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